

Agenda

Planning Committee

Date: **Wednesday 15 July 2026**

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 Roy Allan

Vice-Chair Councillor Paul Wilkinson

Councillor Pauline Allan
Councillor Jane Allen
Councillor Stuart Bestwick
Councillor David Ellis
Councillor Andrew Ellwood
Councillor Helen Greensmith
Councillor Julie Najuk
Councillor Lynda Pearson
Councillor Catherine Pope
Councillor Grahame Pope
Councillor Sam Smith
Councillor Ruth Strong
Councillor Henry Wheeler
Councillor Russell Whiting

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Responsibilities of the Planning Committee:

- 1) To examine and investigate any proposals for development within or outside the Borough which affect the growth prosperity and wellbeing of the Borough and to consult on any action considered necessary.
- 2) Power to fix fees and charges in relation to the remit of the Committee.
- 3) Power to appoint delegates to conferences and to approve Member training in relation to the remit of the Committee.
- 4) To respond to consultative documents received by the Council and falling within the remit of the Committee.

- 5) Power to institute enforcement and legal proceedings in connection with any offences under any powers delegated to this Committee.
- 6) Power to determine applications for planning permission.
- 7) Power to determine applications to develop land without compliance with conditions previously attached.
- 8) Power to grant planning permission for development already carried out.
- 9) Power to decline to determine applications for planning permission.
- 10) Duties relating to the making of determinations of planning applications.
- 11) Power to determine applications for planning permission made to the Council.
- 12) Power to make determinations, give approvals and agree matters relating to the exercise of development rights.
- 13) Power to enter into agreements regulating the use or development of land.
- 14) Power to issue a certificate of existing or proposed lawful use or development.
- 15) Power to serve a completion notice.
- 16) Power to grant consent for the display of advertisements.
- 17) Power to authorise entry onto land pursuant to Section 196A of the Town and Country Planning Act 1990.
- 18) Power to require the discontinuance of a use of land.
- 19) Power to serve a contravention notice, breach of condition notice or stop notice.
- 20) Power to issue an enforcement notice.
- 21) Power to apply for an injunction restraining a breach of planning control.
- 22) Power to require proper maintenance of land pursuant to Section 215(1) of the Town and Country Planning Act 1990.
- 23) Power to determine applications for listed buildings consent.
- 24) Power to serve a building preservation notice
- 25) Power to acquire a listed building in need of repair and to serve a repairs notice.
- 26) Power to apply for an injunction in relation to a listed building.
- 27) Power to execute urgent works to a listed building.
- 28) Power to create, extinguish, stop up or divert footpaths or bridle ways after consultation, where appropriate, with the relevant Parish Council.
- 29) Power to make a rail crossing diversion or extinguishment order.
- 30) To exercise the Council's powers relating to the preservation of trees contained within the Town and Country Planning Act 1990.
- 31) To exercise the Council's powers with regard to the Hedgerows Regulations 1997.
- 32) Power to make, amend, revoke or re-enact byelaws within the remit of the Committee

AGENDA

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1. **Apologies for Absence and Substitutions.**
2. **To approve, as a correct record, the minutes of the meeting held on 3 June 2026**
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3. **Declaration of Interests**
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MINUTES PLANNING COMMITTEE

Wednesday 3 June 2026

Councillor Roy Allan (Chair)

In Attendance:	Councillor Paul Wilkinson	Councillor Ron McCrossen
	Councillor Pauline Allan	Councillor Lynda Pearson
	Councillor Stuart Bestwick	Councillor Catherine Pope
	Councillor Rachael Ellis	Councillor Grahame Pope
	Councillor Andrew Ellwood	Councillor Sam Smith
	Councillor Helen Greensmith	Councillor Henry Wheeler
	Councillor Darren Maltby	Councillor Russell Whiting

Absent: Councillor Jane Allen, Councillor David Ellis, Councillor Julie Najuk and Councillor Ruth Strong

Officers in Attendance: J Krawczyk, N Bryan, C Turton, H Stylianou and C Goodall

1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Jane Allen, David Ellis, Julie Najuk and Ruth Strong. Councillors Rachael Ellis, Darren Maltby and Ron McCrossen attended as substitutes.

2 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 25 MARCH 2026

RESOLVED:

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

3 DECLARATION OF INTERESTS

Councillor Ellwood declared a pecuniary interest in item 4 on the agenda - Application 2026/0179 – Top Wighay Farm and said that he would leave the meeting for the duration of the item.

4 APPLICATION NO. 2026/0179 - TOP WIGHAY FARM, LINBY, NOTTINGHAMSHIRE

Councillor Ellwood left the meeting at 6.02pm

Reserved matters application for the appearance, landscaping, layout and scale of 158 dwellings (in relation to Phase 3b of outline permission reference: 2020/0050).

Robbie Steel, Planning Manager of Persimmon Homes (The Applicant), spoke in support of the application.

The Development Manager introduced the report.

RESOLVED that:

Reserved matters approval be GRANTED for the appearance, landscaping, layout and scale of 158 dwellings (Phase 3B) pursuant to outline permission 2020/0050, subject to the conditions, as set out at section [10] of this report:

Conditions

1. The development hereby permitted with shall be carried out in accordance with the application form and following list of approved drawings:
P26-0029_005 Sheet No. 1 Rev 1 Context Plan
PH/TWF/SLP/01 Site Location Plan Planning
AVE_017_C_DR_911 Fire Appliance Vehicle Tracking
PH_TWF_PL_001 Planning Layout
P26-0029_DE_004_1 Phasing Plan Overlay
AVE_017_C_DR_910 Refuse Vehicle Tracking
PH/TWF/MAT/01 Materials and Boundary Treatments Planning
Top Wighay Farm Planning House Type Pack
P26-0029_EN_0001_S2_C Detailed Soft Landscape
Proposals – Top Wighay Farm (Phase 3B)
P26-0029_EN_0001_S1_C Detailed Soft Landscape
Proposals – Top Wighay Farm (Phase 3B)
P26-0029_EN_0001_S4_C Detailed Soft Landscape
Proposals Composite Plan – Top Wighay Farm (Phase 3B)
P26-0029_EN_0001_S3_C Detailed Soft Landscape
Proposals – Top Wighay Farm (Phase 3B)
Noise Impact Assessment dated 5 February 2026 (Report Reference J006051-9336-JW-01)
2. No development shall commence, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - I. the parking of vehicles of site operatives and visitors
 - II. loading and unloading of plant and materials

- III. storage of plant and materials used in constructing the development
 - IV. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - V. wheel washing facilities
 - VI. measures to control the emission of dust and dirt during construction
 - VII. a scheme for recycling/disposing of waste resulting from demolition and construction works
 - VIII. contact details of the site manager being displayed on-site for members of the public to view.
3. No dwelling served from a shared private drive with 5 or more frontages shall be occupied until details of the proposed arrangements and plan for future management and maintenance of the shared private drives including associated drainage have been submitted to and approved in writing by the Local Planning Authority. The shared private drives and drainage shall thereafter be maintained in accordance with the approved management and maintenance details, until such time that a private Management and Maintenance Company has been established.
4. Occupation of the proposed dwellings shall not take place until their respective driveways / shared access point have been surfaced in a bound material (not loose gravel) for a minimum distance of 5.0m behind the highway boundary, and which shall be drained to prevent third party surface water being discharged to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.
5. No dwelling hereby approved shall be occupied until such time as all noise mitigation measures as detailed in Section 7 of the submitted Noise Impact Assessment dated 5 February 2026 (Report Reference J006051-9336-JW-01). The mitigation measure shall remain in place for the lifetime of the development.
6. The development hereby approved for Phase 3b shall be carried out in accordance with the Tree Survey: Arboricultural Impact Assessment, Method Statement and Tree Protection Plan by Rammsanderson dated February 2026 (Ref: RSE_11068_R2_V1_ARB). For the avoidance of doubt this shall include that:

- All tree protection fencing shall be installed prior to any site clearance or construction works, with fencing retained for the full duration of development.
- There shall be no unauthorised access, storage of materials, excavation, or level changes within Root Protection Areas.
- Arboricultural site monitoring shall be undertaken in accordance with chapter 7.5 of the report.

- 7 The approved landscaping shall be completed during the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the local planning authority. Any trees/shrubs which, within a period of five years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the current or next planting season with others of similar size and species unless otherwise agreed in writing by the local planning authority.
- 8 The ecological mitigation measures outlined in the 'Mitigation statement' (ref: RSE_11067_R2_V3_MS3 – April 2026) shall be implemented.

Reasons:

1. To define the permission
2. In the interest of highway safety and to comply with Policy LPD61.
3. To ensure the shared private drives are maintained to an appropriate standard and to comply with Policy LPD61.
4. In the interest of highway safety and to comply with Policy LPD61.
5. To ensure that the amenity of proposed occupiers is respected and to comply with Policy LPD32.
6. To ensure that all landscape features are specified and in place as part of the development of the site and to comply with policy LPD18.
7. To ensure that all landscape features are specified and in place as part of the development of the site and to comply with policy LPD18.
8. To ensure that protected species are respected and to enhance ecology and comply with LPD18.

NOTES TO APPLICANT:

A Management and Maintenance Company for the shared private drives must be secured by S.106 Agreement to protect the financial interests of both the future occupiers and County Council. Please contact hdc.south@nottsc.gov.uk for details.

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 Nottinghamshire County Council's current highway design guidance and specification for roadworks.

- a) The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.
- b) It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site.

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

The applicant is advised that the playing pitches should comply with the relevant industry Technical Guidance, including guidance published by Sport England and National Governing Bodies for Sport.

The applicant is reminded that the conditions associated with the associated outline consent (Ref: 2020/0050) and the provision of the completed S106A still remain applicable as a result of this reserved matters consent.

Sharing surveys in respect of protected species e.g. ground nesting birds, with the Local Planning Authority is requested.

Councillor Ellwood re-joined the meeting at 6.15pm.

Full planning Permission for the change of use of the property from a Class C3 (dwelling) to a House in Multiple Occupation (HMO) providing 7 bedrooms for up to 7 occupiers which falls within a sui generis use.

Fiona Dracott, a local resident, spoke against the application.

Alcin Tuncel, the applicant, spoke in support of the application.

The Principal Planning Officer informed members that since the publication of the agenda, an objection letter had been received from the Ward Councillor, summarised as follows:

- Planning policy was open to interpretation, and some planning policies were now old.
- Housing in Netherfield was built in the early 1900s and designed for a horse and cart and not cars.
- Streets were congested with parked cars, especially in the evenings
- The site did not have off-street parking.
- Whilst there are public car parks in the area, these are not always practical for people such as delivery drivers, the less mobile or those with children.
- There is an over concentration of HMOs in the area which puts more pressure on parking spaces in the area.
- The roads were not wide enough for cars to carry out a 3-point turn which results in cars reversing down the highway which was a highway safety concern.
- There was a primary school nearby with children needing to cross the busy road.
- Conversions of dwellings to 6-person HMOs already have a detrimental impact on the area and the addition of a further occupant could have a significant noise impact on residents.
- Occupiers may work different shifts which could result in noise issues throughout the night.
- The extensions built under permitted development rights were not of good design and cause overlooking issues.
- The line should be drawn at 6-persons as this is what permitted development rights allow for.
- Some of the HMOs in the area were under occupied so there may not be a need for this type of development in the area.
- Minimum space standards were not the same as good space standards.
- The development works against the current mix of housing in Netherfield by taking away family housing.

- No CCTV measures were proposed.
- There was limited useable garden space.
- The proposal may result in overflowing bins.
- The site did not have disabled access.

The Principal Planning Officer then went on to introduce the report.

RESOLVED:

To GRANT PLANNING PERMISSION subject to the following conditions:

Conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 The development shall be undertaken in accordance with the details as set out within the application form, received on the 28th November 2025, the revised plans received on the 14th May 2026, drawing numbers: HD00265-PL005, HD00265-PL006 AND HD00265-PL007, the flood risk assessment dated the 16th February 2026, the flood risk statement received on the 2nd April 2026 and drawing no. HD00265-PL004 received on the 22nd May 2026.

Reasons

- 1 In order to comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
- 2 For the avoidance of doubt.

Reasons for Decision

The proposed development is consistent with national and local planning policies. Whilst Members acknowledged that the proposal may give rise to some local inconvenience, including additional pressure on on-street parking and the general impacts associated with HMO occupation, these impacts were not considered to amount to unacceptable harm to residential amenity or highway safety so as to justify refusal on planning grounds. Space standards within the development were considered acceptable, and the proposal was also considered acceptable in respect of flood risk. The development was therefore considered appropriate in its context and in accordance with the relevant development plan policies.

Notes to Applicant

The developer is advised to ensure that the development complies with the relevant Building Regulations.

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.

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 39 of the National Planning Policy Framework.

It is noted that there is no reference to crime prevention or security measures to be implemented in the redevelopment of this property in the documentation provided. There is reference to the responsibility of the tenants for security, however, this is limited to their actions.

Many of the HMOs visited by the police have poor standards of security which render the occupants at an increased risk of becoming victims of crime. As the occupants of HMOs do not own the property it is often difficult for them to adopt any crime reduction recommendations made by the police after a crime has taken place.

Statistically, the likelihood of being a repeat victim of house burglary in England & Wales increases exponentially unless crime reduction measures are adopted (Tseloni et al., 2018).

Secured by Design' (SbD) is a police initiative to guide and encourage those engaged within the specification, design and build of new homes, and those undertaking major or minor property refurbishment, to adopt crime prevention measures. 'Secured by Design' is proven to reduce the opportunity for crime and the fear of crime, creating safer, more secure and sustainable environments. Secured by Design is owned by the UK Police Service and is supported by the Home Office, Building Control Departments in England (Part Q Security – Dwellings), Scotland (Building Standard 4.13) and Wales (Part Q Security – Dwellings) all reference SBD.

Secured by Design (SBD) is a place-based approach to crime reduction that brings together standards of physical security with the broader principles of Crime Prevention Through Environmental Design (CPTED) to set minimum requirements that enable properties to be awarded SBD status. The results of several studies have shown that housing design plays a key role in influencing offender decision-making, the risk of surveillance and standards of physical security being primary deterrents (Armitage & Thompson, 2022).

https://www.securedbydesign.com/images/design-guides/residential_guide_2025_270225_final.pdf

Secured by Design would advise the following measures for this development:

Access control and door entry systems

Smaller developments containing 25 or less, apartments, bedsits or bedrooms should have a visitor door entry system and access control system. The technology by which the visitor door entry system operates is a matter of developer choice, however it should provide the following attributes:

- Access to the building via the use of a security encrypted electronic key (e.g. fob, card, mobile device).
- Vandal resistant external door entry panel with a linked camera.
- Ability to release the primary entrance door set from the dwelling or bedroom (in the case of student accommodation or House in Multiple Occupation).
- Live audio and visual communication between the occupant and the visitor.
- Ability to recover from power failure instantaneously.
- Unrestricted egress from the building in the event of an emergency or power failure.
- Control equipment to be located in a secure area within the premises covered by the CCTV system and contained in a lockable steel cabinet to LPS 1175 Security Rating 1 or STS 202 Burglary Rating 1.

Door sets

All door sets allowing direct access into to the home, dedicated private flat or apartment entrance door sets, communal door sets shall be certificated to one of the following standards:

- PAS 24:2016 (Note 23.4b), or
- PAS 24:2022 (Note 23.4b), or
- STS 201 Issue 12:2020 (Note 23.4c), or
- LPS 1175 Issue 7.2:2014 Security Rating 2+ (Note 23.4d), or
- LPS 1175 Issue 8:2018 Security Rating A3+, or
- STS 202 Issue 10:2021 Burglary Rating 2 (Note 23.4d), or
- LPS 2081 Issue 1.1:2016 Security Rating B (Notes 23.4d and 23.4e), or
- STS 222 Issue 1:2021

Windows

All easily accessible windows (including easily accessible roof lights and roof windows) shall be certificated to one of the following standards:

- PAS 24:2016 (Note 24.2b), or
- PAS 24:2022, (Note 24.2b), or
- STS 204 Issue 6:2016 (Note 24.2c), or
- LPS 1175 Issue 7.2:2014 Security Rating 1 (Note 24.2d), or
- LPS 1175 Issue 8:2018 Security Rating 1/A1, or
- STS 202 Issue 10:2021 Burglary Rating 1, or
- LPS 2081 Issue 1.1:2016 Security Rating A, or
- STS 222 Issue 1:2021

Note: Easily accessible is defined within Approved Document Q Appendix A as:

- A window or doorset, any part of which is within 2 metres vertically of an accessible level surface such as a ground or basement level, or an access balcony, or
- A window within 2 metres vertically of a flat roof or sloping roof (with a pitch of less than 30°) that is within 3.5 metres of ground level.

External Lighting

Where possible the lighting requirements within BS 5489-1:2020 should be applied. Developers are advised that there is further guidance available from the Chartered Institute of Building Services Engineers (CIBSE) and the Society of Light and Lighting (SLL).

Lighting is required to illuminate all elevations containing a door set, car parking and garage areas and footpaths leading to dwellings and blocks of flats. Bollard lighting is not appropriate as it does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime.

Overall Lighting uniformity (U_o) - levels of 0.4 or 40% - are recommended where possible to ensure that lighting installations do not create dark patches next to lighter patches where the human eye has difficulty in adjusting quickly enough to see that it is safe to proceed along any route. If high levels of uniformity are neither achievable nor appropriate for technical or locally applying environmental reasons, the highest levels of uniformity possible should be achieved.

External public lighting must be switched using a photo electric cell (dusk to dawn) with a manual override or via a Central Management System (CMS) for large scale developments. If LED light sources are used, then shorter burning hours can be programmed as no warmup time is required for the lamp.

Secured by Design has not specified PIR activated security lighting for several years following advice from the ILP and police concern regarding the increase in the fear of crime (particularly amongst the elderly) due to repeated PIR lamp activations. Research has proven that a constant level of illumination is more effective at controlling the night environment.

24-hour lighting (switched using a daylight sensor formally called photoelectric cells) to communal parts of blocks of flats will be required. It is acceptable if this is dimmed during hours of low occupation to save energy. This will normally include the communal entrance hall, lobbies, landings, corridors and stairwells and

underground garaging facilities and all entrance/exit points. Technology exists in respect of energy efficient light dimming systems and other means of ensuring that security lighting is intelligently provided in the right quantities and only at the right time.

CCTV

It is recommended that CCTV is installed as part of this development. For the purposes of this guide, the term Closed Circuit Television (CCTV) is used to describe all video surveillance systems capable of recording moving images or sound, from traditional CCTV systems with on-site or remote recording facilities to video doorbells that begin recording only when a doorbell is activated.

The purpose of a CCTV system and the results desired from it must be carefully detailed in the Operational Requirement so that an appropriate installation is identified and can be agreed upon with a prospective installer. Attendant problems that could detract from the success of a CCTV system should be identified and a solution to them sought at this early planning stage.

Although a CCTV system cannot address all aspects of security, it can form an invaluable element within a comprehensive security strategy as long as the specification and installation meet the users Operational Requirement.

CCTV is not a universal solution to security problems, but it does form part of an overall security plan. It can help deter crime and criminal behaviour, assist with the identification of offenders, promote personal safety, and provide reassurance for residents and visitors. Even the smallest development will benefit from the installation of a good quality CCTV system, which does not need to be expensive.

Images of people are covered by the General Data Protection Regulation (GDPR), and so is information about people which is derived from images – for example, vehicle registration numbers. Most uses of CCTV will be covered by the Data Protection Act 2018, which is the UK's

implementation of the GDPR, regardless of the number of cameras or how sophisticated the equipment is.

Specifiers are reminded that there will be a requirement for a data controller to ensure compliance with the GDPR. The data controller must ensure that all CCTV images that can be used to identify individuals are used, stored, and disclosed in line with the GDPR principles.

It is important that signs are displayed explaining that CCTV is in operation.

- Have CCTV cameras contained in vandal resistant housings with the facility for ceiling or wall mounting.
- Record images in colour HD quality.
- Not be affected by concentrated white light sources directed at the camera, such as car head lights and street lighting.
- Have a lockable steel cabinet for 'on-site' recording equipment or other hard drive units to one of the following standards:
 - LPS 1175 Security Rating 1 (A1), or
 - STS 202 Burglary Rating 1, or
 - SS314
- Identify each camera's location and record this information along with time and date stamping.
- Provide suitable methods of export and incorporate the required software to view the exported footage.
- Negatively impacted upon by lighting and landscape proposals
- Whether there is consideration for inclusion of comprehensive Operational use and Requirements Table
- Also, it is worth mentioning that the most important aspect of utilising CCTV is the quality of the system and its imagery.

CCTV cameras associated with visitor door entry systems covering communal entrances and internal lobby areas should be installed and be capable of providing images of persons that are clearly identifiable on smaller devices such as smart phones.

Ideally, CCTV systems should be monitored live 24/7 giving the ability to react to a situation as it occurs. However, this is not a requirement of Secured by Design for residential developments. Most CCTV systems are designed for recording images and for the post event investigation only, in which case nobody is required to monitor the activities live. Police recommend that images are stored for a minimum of 31 days.

Early discussions with an independent CCTV expert and potential installers can resolve a number of matters, including:

- monitoring and recording requirements.
- activation in association with the intruder alarm.
- requirements for observation, facial recognition/identification and automatic number plate recognition (ANPR) .
- areas to be monitored and field of view.

- activities to be monitored.
- the use of recorded images.
- maintenance of equipment and the management of recording.
- subsequent on-going training of operatives.
- Further advice, including the ICO CCTV Code of Practice is available at: www.ico.org.uk

Bicycle Security

Bicycle storage solutions should be constructed to the following 'Secured by Design' standards.

Bicycle parking will comprise of bicycle stands, anchor points, single and two-tier rack systems and dedicated lockers. The bicycle stands and rack systems, single or two tier, should be certified to one of the following standards:

- Sold Secure – SS104 Security Rating Bronze, or
- Element (Wednesbury) – STS 501 Security Rating TR1, or
- Element (Wednesbury) – STS 503 Security Rating TR1, or
- Warringtonfire – STS 205 Issue 6:2021 Security Rating BR1, or
- Warringtonfire – STS 225 Issue 1:2021 Security Rating BR1 (S), or
- Loss Prevention Certification Board LPS1175 Issue 8:2018 Security Rating A (A1)

Bicycle parking facilities should be limited to the storing of no more than seventy bikes; if larger numbers need to be stored at the same location, the facilities should be separated into discreet units and be subject to extra mitigating security measures as agreed with the Nottinghamshire Designing Out Crime Officer.

It is possible that a further house of multiple occupancy while resulting in the re-use of a vacant building would not necessarily achieve a mixed and balanced community if such properties continue to be converted in the same localised area, and the residents of them remain transient and lack ownership or desire to become embedded in that community.

It is requested that the Secured by Design standard is achieved and formally accredited.

6

APPLICATION NO. 2026/0168 - 115 CHANDOS STREET, NETHERFIELD, NOTTINGHAMSHIRE

Full planning Permission is sought for the change of use of the property from a 6-bedroom HMO (C4 use) to 7-bedroom HMO (Sui Generis) for up to 7 occupiers.

The Principal Planning Officer informed members of the committee that, since the publication of the report, an objection letter had been received from the Ward Councillor and that their concerns were similar to those

expressed against the other HMO applications in Netherfield, as summarised previously at item 5 on the agenda.

They then went on to introduce the report.

RESOLVED:

To GRANT PLANNING PERMISSION: subject to the following conditions:

Conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 The development shall be undertaken in accordance with the details as set out within the application form received on the 12th March 2026, the Planning Statement received on the 12th March 2026 and the plans received on the 12th March 2026, drawing numbers: 24,108-P-101, 24,108-P-220, 24,108-P-210 and 24,108-P-001.

Reasons

- 1 In order to comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
- 2 For the avoidance of doubt.

Reasons for Decision

The proposed development is consistent with national and local planning policies. Whilst Members acknowledged that the proposal may give rise to some local inconvenience, including additional pressure on on-street parking and the general impacts associated with HMO occupation, these impacts were not considered to amount to unacceptable harm to residential amenity or highway safety so as to justify refusal on planning grounds. Space standards within the development were considered acceptable, and the proposal was also considered acceptable in respect of flood risk. The development was therefore considered appropriate in its context and in accordance with the relevant development plan policies.

Notes to Applicant

The developer is advised to ensure compliance with the relevant Building Regulations.

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.

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 39 of the National Planning Policy Framework.

It is noted that there is no reference to crime prevention or security measures to be implemented in the redevelopment of this property in the documentation provided. There is reference to the responsibility of the tenants for security, however, this is limited to their actions.

Many of the HMOs visited by the police have poor standards of security which render the occupants at an increased risk of becoming victims of crime. As the occupants of HMOs do not own the property it is often difficult for them to adopt any crime reduction recommendations made by the police after a crime has taken place.

Statistically, the likelihood of being a repeat victim of house burglary in England & Wales increases exponentially unless crime reduction measures are adopted (Tseloni et al., 2018).

Secured by Design' (SbD) is a police initiative to guide and encourage those engaged within the specification, design and build of new homes, and those undertaking major or minor property refurbishment, to adopt crime prevention measures. 'Secured by Design' is proven to reduce the opportunity for crime and the fear of crime, creating safer, more secure and sustainable environments. Secured by Design is owned by the UK Police Service and is supported by the Home Office, Building Control Departments in England (Part Q Security – Dwellings), Scotland (Building Standard 4.13) and Wales (Part Q Security – Dwellings) all reference SBD.

Secured by Design (SBD) is a place-based approach to crime reduction that brings together standards of physical security with the broader principles of Crime Prevention Through Environmental Design (CPTED) to set minimum requirements that enable properties to be awarded SBD status. The results of several studies have shown that housing design plays a key role in influencing offender decision-making, the risk of surveillance and standards of physical security being primary deterrents (Armitage & Thompson, 2022).

https://www.securedbydesign.com/images/design-guides/residential_guide_2025_270225_final.pdf

Secured by Design would advise the following measures for this development:

Access control and door entry systems

Smaller developments containing 25 or less, apartments, bedsits or bedrooms should have a visitor door entry system and access control system. The technology by which the visitor door entry system operates is a matter of developer choice, however it should provide the following attributes:

- Access to the building via the use of a security encrypted electronic key (e.g. fob, card, mobile device).
- Vandal resistant external door entry panel with a linked camera.
- Ability to release the primary entrance door set from the dwelling or bedroom (in the case of student accommodation or House in Multiple Occupation).
- Live audio and visual communication between the occupant and the visitor.
- Ability to recover from power failure instantaneously.
- Unrestricted egress from the building in the event of an emergency or power failure.
- Control equipment to be located in a secure area within the premises covered by the CCTV system and contained in a lockable steel cabinet to LPS 1175 Security Rating 1 or STS 202 Burglary Rating 1.

Door sets

All door sets allowing direct access into to the home, dedicated private flat or apartment entrance door sets, communal door sets shall be certificated to one of the following standards:

- PAS 24:2016 (Note 23.4b), or
- PAS 24:2022 (Note 23.4b), or
- STS 201 Issue 12:2020 (Note 23.4c), or
- LPS 1175 Issue 7.2:2014 Security Rating 2+ (Note 23.4d), or
- LPS 1175 Issue 8:2018 Security Rating A3+, or
- STS 202 Issue 10:2021 Burglary Rating 2 (Note 23.4d), or
- LPS 2081 Issue 1.1:2016 Security Rating B (Notes 23.4d and 23.4e), or
- STS 222 Issue 1:2021

Windows

All easily accessible windows (including easily accessible roof lights and roof windows) shall be certificated to one of the following standards:

- PAS 24:2016 (Note 24.2b), or
- PAS 24:2022, (Note 24.2b), or
- STS 204 Issue 6:2016 (Note 24.2c), or
- LPS 1175 Issue 7.2:2014 Security Rating 1 (Note 24.2d), or
- LPS 1175 Issue 8:2018 Security Rating 1/A1, or
- STS 202 Issue 10:2021 Burglary Rating 1, or
- LPS 2081 Issue 1.1:2016 Security Rating A, or
- STS 222 Issue 1:2021

Note: Easily accessible is defined within Approved Document Q Appendix A as:

- A window or doorset, any part of which is within 2 metres vertically of an accessible level surface such as a ground or basement level, or an access balcony, or
- A window within 2 metres vertically of a flat roof or sloping roof (with a pitch of less than 30°) that is within 3.5 metres of ground level.

External Lighting

Where possible the lighting requirements within BS 5489-1:2020 should be applied. Developers are advised that there is further guidance available from the Chartered Institute of Building Services Engineers (CIBSE) and the Society of Light and Lighting (SLL).

Lighting is required to illuminate all elevations containing a door set, car parking and garage areas and footpaths leading to dwellings and blocks of flats. Bollard lighting is not appropriate as it does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime.

Overall Lighting uniformity (Uo) - levels of 0.4 or 40% - are recommended where possible to ensure that lighting installations do not create dark patches next to lighter patches where the human eye has difficulty in adjusting quickly enough to see that it is safe to proceed along any route. If high levels of uniformity are neither achievable nor appropriate for technical or locally applying environmental reasons, the highest levels of uniformity possible should be achieved.

External public lighting must be switched using a photo electric cell (dusk to dawn) with a manual override or via a Central Management System (CMS) for large scale developments. If LED light sources are used, then shorter burning hours can be programmed as no warmup time is required for the lamp.

Secured by Design has not specified PIR activated security lighting for several years following advice from the ILP and police concern regarding the increase in the fear of crime (particularly amongst the elderly) due to

repeated PIR lamp activations. Research has proven that a constant level of illumination is more effective at controlling the night environment.

24-hour lighting (switched using a daylight sensor formally called photoelectric cells) to communal parts of blocks of flats will be required. It is acceptable if this is dimmed during hours of low occupation to save energy. This will normally include the communal entrance hall, lobbies, landings, corridors and stairwells and

underground garaging facilities and all entrance/exit points. Technology exists in respect of energy efficient light dimming systems and other means of ensuring that security lighting is intelligently provided in the right quantities and only at the right time.

CCTV

It is recommended that CCTV is installed as part of this development. For the purposes of this guide, the term Closed Circuit Television (CCTV) is used to describe all video surveillance systems capable of recording moving images or sound, from traditional CCTV systems with on-site or remote recording facilities to video doorbells that begin recording only when a doorbell is activated.

The purpose of a CCTV system and the results desired from it must be carefully detailed in the Operational Requirement so that an appropriate installation is identified and can be agreed upon with a prospective installer. Attendant problems that could detract from the success of a CCTV system should be identified and a solution to them sought at this early planning stage.

Although a CCTV system cannot address all aspects of security, it can form an invaluable element within a comprehensive security strategy as long as the specification and installation meet the users Operational Requirement.

CCTV is not a universal solution to security problems, but it does form part of an overall security plan. It can help deter crime and criminal behaviour, assist with the identification of offenders, promote personal safety, and provide reassurance for residents and visitors. Even the smallest development will benefit from the installation of a good quality CCTV system, which does not need to be expensive.

Images of people are covered by the General Data Protection Regulation (GDPR), and so is information about people which is derived from images – for example, vehicle registration numbers. Most uses of CCTV will be covered by the Data Protection Act 2018, which is the UK's implementation of the GDPR, regardless of the number of cameras or how sophisticated the equipment is.

Specifiers are reminded that there will be a requirement for a data controller to ensure compliance with the GDPR. The data controller must

ensure that all CCTV images that can be used to identify individuals are used, stored, and disclosed in line with the GDPR principles.

It is important that signs are displayed explaining that CCTV is in operation.

- Have CCTV cameras contained in vandal resistant housings with the facility for ceiling or wall mounting.
- Record images in colour HD quality.
- Not be affected by concentrated white light sources directed at the camera, such as car head lights and street lighting.
- Have a lockable steel cabinet for 'on-site' recording equipment or other hard drive units to one of the following standards:
 - LPS 1175 Security Rating 1 (A1), or
 - STS 202 Burglary Rating 1, or
 - SS314
- Identify each camera's location and record this information along with time and date stamping.
- Provide suitable methods of export and incorporate the required software to view the exported footage.
- Negatively impacted upon by lighting and landscape proposals
- Whether there is consideration for inclusion of comprehensive Operational use and Requirements Table
- Also, it is worth mentioning that the most important aspect of utilising CCTV is the quality of the system and its imagery.

CCTV cameras associated with visitor door entry systems covering communal entrances and internal lobby areas should be installed and be capable of providing images of persons that are clearly identifiable on smaller devices such as smart phones.

Ideally, CCTV systems should be monitored live 24/7 giving the ability to react to a situation as it occurs. However, this is not a requirement of Secured by Design for residential developments. Most CCTV systems are designed for recording images and for the post event investigation only, in which case nobody is required to monitor the activities live. Police recommend that images are stored for a minimum of 31 days.

Early discussions with an independent CCTV expert and potential installers can resolve a number of matters, including:

- monitoring and recording requirements.
- activation in association with the intruder alarm.
- requirements for observation, facial recognition/identification and automatic number plate recognition (ANPR) .
- areas to be monitored and field of view.
- activities to be monitored.
- the use of recorded images.
- maintenance of equipment and the management of recording.
- subsequent on-going training of operatives.

- Further advice, including the ICO CCTV Code of Practice is available at: www.ico.org.uk

Bicycle Security

Bicycle storage solutions should be constructed to the following 'Secured by Design' standards.

Bicycle parking will comprise of bicycle stands, anchor points, single and two-tier rack systems and dedicated lockers. The bicycle stands and rack systems, single or two tiers, should be certified to one of the following standards:

- Sold Secure – SS104 Security Rating Bronze, or
- Element (Wednesbury) – STS 501 Security Rating TR1, or
- Element (Wednesbury) – STS 503 Security Rating TR1, or
- Warringtonfire – STS 205 Issue 6:2021 Security Rating BR1, or
- Warringtonfire – STS 225 Issue 1:2021 Security Rating BR1 (S), or
- Loss Prevention Certification Board LPS1175 Issue 8:2018 Security Rating A (A1)

Bicycle parking facilities should be limited to the storing of no more than seventy bikes; if larger numbers need to be stored at the same location, the facilities should be separated into discreet units and be subject to extra mitigating security measures as agreed with the Nottinghamshire Designing Out Crime Officer.

It is possible that a further house of multiple occupancy while resulting in the re-use of a vacant building would not necessarily achieve a mixed and balanced community if such properties continue to be converted in the same localised area, and the residents of them remain transient and lack ownership or desire to become embedded in that community.

It is requested that the Secured by Design standard is achieved and formally accredited.

7 APPLICATION NO. 2026/0167 - 7 BEECH AVENUE, NETHERFIELD, NOTTINGHAMSHIRE

Full planning Permission is sought for the change of use of the property from a 6-bedroom HMO (C4 use) to 7-bedroom HMO (Sui Generis) for up to 7 occupiers.

The Principal Planning Officer informed members of the committee that, since the publication of the report, an objection letter had been received from the Ward Councillor whose concerns were similar to those expressed against the other HMO applications in Netherfield, as summarised previously at item 5 on the agenda.

The Principal Planning Officer went on to introduce the report.

RESOLVED:

To GRANT PLANNING PERMISSION subject to the following conditions:

Conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 The development shall be undertaken in accordance with the details as set out within the application form received on the 12th March 2026, the Planning Statement received on the 12th March 2026 and the plans received on the 12th March 2026, drawing numbers: 24,089-P-001, 24,089-P-210, 24,089-P-020 and 24,089-P-101.

Reasons

- 1 In order to comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
- 2 For the avoidance of doubt.

Reasons for Decision

The proposed development is consistent with national and local planning policies. Whilst Members acknowledged that the proposal may give rise to some local inconvenience, including additional pressure on on-street parking and the general impacts associated with HMO occupation, these impacts were not considered to amount to unacceptable harm to residential amenity or highway safety so as to justify refusal on planning grounds. Space standards within the development were considered acceptable, and the proposal was also considered acceptable in respect of flood risk. The development was therefore considered appropriate in its context and in accordance with the relevant development plan policies.

Notes to Applicant

The developer is advised to ensure compliance with the relevant Building Regulations.

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.

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 39 of the National Planning Policy Framework.

It is noted that there is no reference to crime prevention or security measures to be implemented in the redevelopment of this property in the documentation provided. There is reference to the responsibility of the tenants for security, however, this is limited to their actions.

Many of the HMOs visited by the police have poor standards of security which render the occupants at an increased risk of becoming victims of crime. As the occupants of HMOs do not own the property it is often difficult for them to adopt any crime reduction recommendations made by the police after a crime has taken place.

Statistically, the likelihood of being a repeat victim of house burglary in England & Wales increases exponentially unless crime reduction measures are adopted (Tseloni et al., 2018).

Secured by Design' (SbD) is a police initiative to guide and encourage those engaged within the specification, design and build of new homes, and those undertaking major or minor property refurbishment, to adopt crime prevention measures. 'Secured by Design' is proven to reduce the opportunity for crime and the fear of crime, creating safer, more secure and sustainable environments. Secured by Design is owned by the UK Police Service and is supported by the Home Office, Building Control Departments in England (Part Q Security – Dwellings), Scotland (Building Standard 4.13) and Wales (Part Q Security – Dwellings) all reference SBD.

Secured by Design (SBD) is a place-based approach to crime reduction that brings together standards of physical security with the broader principles of Crime Prevention Through Environmental Design (CPTED) to set minimum requirements that enable properties to be awarded SBD status. The results of several studies have shown that housing design plays a key role in influencing offender decision-making, the risk of surveillance and standards of physical security being primary deterrents (Armitage & Tompson, 2022).

https://www.securedbydesign.com/images/design-guides/residential_guide_2025_270225_final.pdf

Secured by Design would advise the following measures for this development:

Access control and door entry systems

Smaller developments containing 25 or less, apartments, bedsits or bedrooms should have a visitor door entry system and access control system. The technology by which the visitor door entry system operates is a matter of developer choice, however it should provide the following attributes:

- Access to the building via the use of a security encrypted electronic key (e.g. fob, card, mobile device).
- Vandal resistant external door entry panel with a linked camera.
- Ability to release the primary entrance door set from the dwelling or bedroom (in the case of student accommodation or House in Multiple Occupation).
- Live audio and visual communication between the occupant and the visitor.
- Ability to recover from power failure instantaneously.
- Unrestricted egress from the building in the event of an emergency or power failure.
- Control equipment to be located in a secure area within the premises covered by the CCTV system and contained in a lockable steel cabinet to LPS 1175 Security Rating 1 or STS 202 Burglary Rating 1.

Door sets

All door sets allowing direct access into to the home, dedicated private flat or apartment entrance door sets, communal door sets shall be certificated to one of the following standards:

- PAS 24:2016 (Note 23.4b), or
- PAS 24:2022 (Note 23.4b), or
- STS 201 Issue 12:2020 (Note 23.4c), or
- LPS 1175 Issue 7.2:2014 Security Rating 2+ (Note 23.4d), or
- LPS 1175 Issue 8:2018 Security Rating A3+, or
- STS 202 Issue 10:2021 Burglary Rating 2 (Note 23.4d), or
- LPS 2081 Issue 1.1:2016 Security Rating B (Notes 23.4d and 23.4e), or
- STS 222 Issue 1:2021

Windows

All easily accessible windows (including easily accessible roof lights and roof windows) shall be certificated to one of the following standards:

- PAS 24:2016 (Note 24.2b), or

- PAS 24:2022, (Note 24.2b), or
- STS 204 Issue 6:2016 (Note 24.2c), or
- LPS 1175 Issue 7.2:2014 Security Rating 1 (Note 24.2d), or
- LPS 1175 Issue 8:2018 Security Rating 1/A1, or
- STS 202 Issue 10:2021 Burglary Rating 1, or
- LPS 2081 Issue 1.1:2016 Security Rating A, or
- STS 222 Issue 1:2021

Note: Easily accessible is defined within Approved Document Q Appendix A as:

- A window or doorset, any part of which is within 2 metres vertically of an accessible level surface such as a ground or basement level, or an access balcony, or
- A window within 2 metres vertically of a flat roof or sloping roof (with a pitch of less than 30°) that is within 3.5 metres of ground level.

External Lighting

Where possible the lighting requirements within BS 5489-1:2020 should be applied. Developers are advised that there is further guidance available from the Chartered Institute of Building Services Engineers (CIBSE) and the Society of Light and Lighting (SLL).

Lighting is required to illuminate all elevations containing a door set, car parking and garage areas and footpaths leading to dwellings and blocks of flats. Bollard lighting is not appropriate as it does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime.

Overall Lighting uniformity (Uo) - levels of 0.4 or 40% - are recommended where possible to ensure that lighting installations do not create dark patches next to lighter patches where the human eye has difficulty in adjusting quickly enough to see that it is safe to proceed along any route. If high levels of uniformity are neither achievable nor appropriate for technical or locally applying environmental reasons, the highest levels of uniformity possible should be achieved.

External public lighting must be switched using a photo electric cell (dusk to dawn) with a manual override or via a Central Management System (CMS) for large scale developments. If LED light sources are used, then shorter burning hours can be programmed as no warmup time is required for the lamp.

Secured by Design has not specified PIR activated security lighting for several years following advice from the ILP and police concern regarding the increase in the fear of crime (particularly amongst the elderly) due to repeated PIR lamp activations. Research has proven that a constant level of illumination is more effective at controlling the night environment.

24-hour lighting (switched using a daylight sensor formally called photoelectric cells) to communal parts of blocks of flats will be required. It is acceptable if this is dimmed during hours of low occupation to save energy. This will normally include the communal entrance hall, lobbies, landings, corridors and stairwells and

underground garaging facilities and all entrance/exit points. Technology exists in respect of energy efficient light dimming systems and other means of ensuring that security lighting is intelligently provided in the right quantities and only at the right time.

CCTV

It is recommended that CCTV is installed as part of this development. For the purposes of this guide, the term Closed Circuit Television (CCTV) is used to describe all video surveillance systems capable of recording moving images or sound, from traditional CCTV systems with on-site or remote recording facilities to video doorbells that begin recording only when a doorbell is activated.

The purpose of a CCTV system and the results desired from it must be carefully detailed in the Operational Requirement so that an appropriate installation is identified and can be agreed upon with a prospective installer. Attendant problems that could detract from the success of a CCTV system should be identified and a solution to them sought at this early planning stage.

Although a CCTV system cannot address all aspects of security, it can form an invaluable element within a comprehensive security strategy as long as the specification and installation meet the users Operational Requirement.

CCTV is not a universal solution to security problems, but it does form part of an overall security plan. It can help deter crime and criminal behaviour, assist with the identification of offenders, promote personal safety, and provide reassurance for residents and visitors. Even the smallest development will benefit from the installation of a good quality CCTV system, which does not need to be expensive.

Images of people are covered by the General Data Protection Regulation (GDPR), and so is information about people which is derived from images – for example, vehicle registration numbers. Most uses of CCTV will be covered by the Data Protection Act 2018, which is the UK's implementation of the GDPR, regardless of the number of cameras or how sophisticated the equipment is.

Specifiers are reminded that there will be a requirement for a data controller to ensure compliance with the GDPR. The data controller must ensure that all CCTV images that can be used to identify individuals are used, stored, and disclosed in line with the GDPR principles.

It is important that signs are displayed explaining that CCTV is in operation.

- Have CCTV cameras contained in vandal resistant housings with the facility for ceiling or wall mounting.
- Record images in colour HD quality.
- Not be affected by concentrated white light sources directed at the camera, such as car head lights and street lighting.
- Have a lockable steel cabinet for 'on-site' recording equipment or other hard drive units to one of the following standards:
 - LPS 1175 Security Rating 1 (A1), or
 - STS 202 Burglary Rating 1, or
 - SS314
- Identify each camera's location and record this information along with time and date stamping.
- Provide suitable methods of export and incorporate the required software to view the exported footage.
- Negatively impacted upon by lighting and landscape proposals
- Whether there is consideration for inclusion of comprehensive Operational use and Requirements Table
- Also, it is worth mentioning that the most important aspect of utilising CCTV is the quality of the system and its imagery.

CCTV cameras associated with visitor door entry systems covering communal entrances and internal lobby areas should be installed and be capable of providing images of persons that are clearly identifiable on smaller devices such as smart phones.

Ideally, CCTV systems should be monitored live 24/7 giving the ability to react to a situation as it occurs. However, this is not a requirement of Secured by Design for residential developments. Most CCTV systems are designed for recording images and for the post event investigation only, in which case nobody is required to monitor the activities live. Police recommend that images are stored for a minimum of 31 days.

Early discussions with an independent CCTV expert and potential installers can resolve a number of matters, including:

- monitoring and recording requirements.
- activation in association with the intruder alarm.
- requirements for observation, facial recognition/identification and automatic number plate recognition (ANPR) .
- areas to be monitored and field of view.
- activities to be monitored.
- the use of recorded images.
- maintenance of equipment and the management of recording.
- subsequent on-going training of operatives.
- Further advice, including the ICO CCTV Code of Practice is available at: www.ico.org.uk

Bicycle Security

Bicycle storage solutions should be constructed to the following 'Secured by Design' standards.

Bicycle parking will comprise of bicycle stands, anchor points, single and two-tier rack systems and dedicated lockers. The bicycle stands and rack systems, single or two tier, should be certified to one of the following standards:

- Sold Secure – SS104 Security Rating Bronze, or
- Element (Wednesbury) – STS 501 Security Rating TR1, or
- Element (Wednesbury) – STS 503 Security Rating TR1, or
- Warringtonfire – STS 205 Issue 6:2021 Security Rating BR1, or
- Warringtonfire – STS 225 Issue 1:2021 Security Rating BR1 (S), or
- Loss Prevention Certification Board LPS1175 Issue 8:2018 Security Rating A (A1)

Bicycle parking facilities should be limited to the storing of no more than seventy bikes; if larger numbers need to be stored at the same location, the facilities should be separated into discreet units and be subject to extra mitigating security measures as agreed with the Nottinghamshire Designing Out Crime Officer.

It is possible that a further house of multiple occupancy while resulting in the re-use of a vacant building would not necessarily achieve a mixed and balanced community if such properties continue to be converted in the same localised area, and the residents of them remain transient and lack ownership or desire to become embedded in that community.

It is requested that the Secured by Design standard is achieved and formally accredited.

8 APPLICATION NO. 2026/0112 - 5 BEECH AVENUE, NETHERFIELD, NOTTINGHAMSHIRE

Change of use from a 6-bedroom, 6-occupant House in Multiple Occupation (Use Class C4) to a 7-bedroom, 7-occupant large House in Multiple Occupation (Sui Generis) and installation of secure, covered cycle storage within the site curtilage to accommodate 7 bicycles.

Darius Jonaitis, the applicant, spoke in support of the application.

The Principal Planning Officer informed members of the committee that, since the publication of the report, an objection letter had been received from the Ward Councillor whose concerns were similar to those expressed against the other HMO applications in Netherfield, as summarised previously at item 5 on the agenda, with an additional concern that the street scene had been adversely impacted by lowering the first floor level in an effort to create space for the loft conversion and that the front windows were smaller and four brick courses lower than other houses on the avenue which was unsympathetic.

The Principal Planning Officer then went on to introduce the report.

RESOLVED:

To GRANT PLANNING PERMISSION: subject to the following conditions:

Conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 The development shall be undertaken in accordance with the details as set out within the application form, received on the 23rd February 2026 and the following approved plans:
 - Site Location Plan;
 - Proposed Site Layout Plan - 25-009 - 03-000 Rev C -20/05/2026;
 - Proposed Elevations - 25-009 - 03-002 Rev C – 20/05/2026;
 - Proposed Plans - 25-009 - 03-001 Rev C - 20/05/2026; and
 - Proposed Sections - 25-009 - 03-003 Rev C- 20/05/2026.
 - Flood Risk Standing Advice table - 20/05/2026

Reasons

- 1 In order to comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
- 2 For the avoidance of doubt.

Reasons for Decision

The proposed development is consistent with national and local planning policies. Whilst Members acknowledged that the proposal may give rise to some local inconvenience, including additional pressure on on-street parking and the general impacts associated with HMO occupation, these impacts were not considered to amount to unacceptable harm to residential amenity or highway safety so as to justify refusal on planning grounds. Space standards within the development were considered acceptable, and the proposal was also considered acceptable in respect of flood risk. The development was therefore considered appropriate in its context and in accordance with the relevant development plan policies.

Notes to Applicant

The developer is advised to ensure that the development complies with the relevant Building Regulations and Licensing requirements.

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.

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 39 of the National Planning Policy Framework.

It is noted that there is no reference to crime prevention or security measures to be implemented in the redevelopment of this property in the documentation provided. There is reference to the responsibility of the tenants for security, however, this is limited to their actions.

Many of the HMOs visited by the police have poor standards of security which render the occupants at an increased risk of becoming victims of crime. As the occupants of HMOs do not own the property it is often difficult for them to adopt any crime reduction recommendations made by the police after a crime has taken place.

Statistically, the likelihood of being a repeat victim of house burglary in England & Wales increases exponentially unless crime reduction measures are adopted (Tseloni et al., 2018).

Secured by Design' (SbD) is a police initiative to guide and encourage those engaged within the specification, design and build of new homes, and those undertaking major or minor property refurbishment, to adopt crime prevention measures. 'Secured by Design' is proven to reduce the opportunity for crime and the fear of crime, creating safer, more secure and sustainable environments. Secured by Design is owned by the UK Police Service and is supported by the Home Office, Building Control Departments in England (Part Q Security – Dwellings), Scotland (Building Standard 4.13) and Wales (Part Q Security – Dwellings) all reference SBD.

Secured by Design (SBD) is a place-based approach to crime reduction that brings together standards of physical security with the broader principles of Crime Prevention Through Environmental Design (CPTED) to set minimum requirements that enable properties to be awarded SBD status. The results of several studies have shown that housing design plays a key role in influencing offender decision-making, the risk of surveillance and standards of physical security being primary deterrents (Armitage & Tompson, 2022).

https://www.securedbydesign.com/images/design-guides/residential_guide_2025_270225_final.pdf

Secured by Design would advise the following measures for this development:

Access control and door entry systems

Smaller developments containing 25 or less, apartments, bedsits or bedrooms should have a visitor door entry system and access control system. The technology by which the visitor door entry system operates is a matter of developer choice, however it should provide the following attributes:

- Access to the building via the use of a security encrypted electronic key (e.g. fob, card, mobile device).
- Vandal resistant external door entry panel with a linked camera.
- Ability to release the primary entrance door set from the dwelling or bedroom (in the case of student accommodation or House in Multiple Occupation).
- Live audio and visual communication between the occupant and the visitor.
- Ability to recover from power failure instantaneously.
- Unrestricted egress from the building in the event of an emergency or power failure.
- Control equipment to be located in a secure area within the premises covered by the CCTV system and contained in a lockable steel cabinet to LPS 1175 Security Rating 1 or STS 202 Burglary Rating 1.

Door sets

All door sets allowing direct access into to the home, dedicated private flat or apartment entrance door sets, communal door sets shall be certificated to one of the following standards:

- PAS 24:2016 (Note 23.4b), or
- PAS 24:2022 (Note 23.4b), or
- STS 201 Issue 12:2020 (Note 23.4c), or
- LPS 1175 Issue 7.2:2014 Security Rating 2+ (Note 23.4d), or
- LPS 1175 Issue 8:2018 Security Rating A3+, or
- STS 202 Issue 10:2021 Burglary Rating 2 (Note 23.4d), or
- LPS 2081 Issue 1.1:2016 Security Rating B (Notes 23.4d and 23.4e), or
- STS 222 Issue 1:2021

Windows

All easily accessible windows (including easily accessible roof lights and roof windows) shall be certificated to one of the following standards:

- PAS 24:2016 (Note 24.2b), or
- PAS 24:2022, (Note 24.2b), or
- STS 204 Issue 6:2016 (Note 24.2c), or
- LPS 1175 Issue 7.2:2014 Security Rating 1 (Note 24.2d), or
- LPS 1175 Issue 8:2018 Security Rating 1/A1, or
- STS 202 Issue 10:2021 Burglary Rating 1, or
- LPS 2081 Issue 1.1:2016 Security Rating A, or
- STS 222 Issue 1:2021

Note: Easily accessible is defined within Approved Document Q Appendix A as:

- A window or doorset, any part of which is within 2 metres vertically of an accessible level surface such as a ground or basement level, or an access balcony, or
- A window within 2 metres vertically of a flat roof or sloping roof (with a pitch of less than 30°) that is within 3.5 metres of ground level.

External Lighting

Where possible the lighting requirements within BS 5489-1:2020 should be applied. Developers are advised that there is further guidance available from the Chartered Institute of Building Services Engineers (CIBSE) and the Society of Light and Lighting (SLL).

Lighting is required to illuminate all elevations containing a door set, car parking and garage areas and footpaths leading to dwellings and blocks of flats. Bollard lighting is not appropriate as it does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime.

Overall Lighting uniformity (U_o) - levels of 0.4 or 40% - are recommended where possible to ensure that lighting installations do not create dark patches next to lighter patches where the human eye has difficulty in adjusting quickly enough to see that it is safe to proceed along any route. If high levels of uniformity are neither achievable nor appropriate for technical or locally applying environmental reasons, the highest levels of uniformity possible should be achieved.

External public lighting must be switched using a photo electric cell (dusk to dawn) with a manual override or via a Central Management System (CMS) for large scale developments. If LED light sources are used, then shorter burning hours can be programmed as no warmup time is required for the lamp.

Secured by Design has not specified PIR activated security lighting for several years following advice from the ILP and police concern regarding the increase in the fear of crime (particularly amongst the elderly) due to repeated PIR lamp activations. Research has proven that a constant level of illumination is more effective at controlling the night environment.

24-hour lighting (switched using a daylight sensor formally called photoelectric cells) to communal parts of blocks of flats will be required. It is acceptable if this is dimmed during hours of low occupation to save energy. This will normally include the communal entrance hall, lobbies, landings, corridors and stairwells and

underground garaging facilities and all entrance/exit points. Technology exists in respect of energy efficient light dimming systems and other means of ensuring that security lighting is intelligently provided in the right quantities and only at the right time.

CCTV

It is recommended that CCTV is installed as part of this development. For the purposes of this guide, the term Closed Circuit Television (CCTV) is used to describe all video surveillance systems capable of recording moving images or sound, from traditional CCTV systems with on-site or remote recording facilities to video doorbells that begin recording only when a doorbell is activated.

The purpose of a CCTV system and the results desired from it must be carefully detailed in the Operational Requirement so that an appropriate installation is identified and can be agreed upon with a prospective installer. Attendant problems that could detract from the success of a CCTV system should be identified and a solution to them sought at this early planning stage.

Although a CCTV system cannot address all aspects of security, it can form an invaluable element within a comprehensive security strategy as long as the specification and installation meet the users Operational Requirement.

CCTV is not a universal solution to security problems, but it does form part of an overall security plan. It can help deter crime and criminal behaviour, assist with the identification of offenders, promote personal safety, and provide reassurance for residents and visitors. Even the smallest development will benefit from the installation of a good quality CCTV system, which does not need to be expensive.

Images of people are covered by the General Data Protection Regulation (GDPR), and so is information about people which is derived from images – for example, vehicle registration numbers. Most uses of CCTV will be covered by the Data Protection Act 2018, which is the UK's

implementation of the GDPR, regardless of the number of cameras or how sophisticated the equipment is.

Specifiers are reminded that there will be a requirement for a data controller to ensure compliance with the GDPR. The data controller must ensure that all CCTV images that can be used to identify individuals are used, stored, and disclosed in line with the GDPR principles.

It is important that signs are displayed explaining that CCTV is in operation.

- Have CCTV cameras contained in vandal resistant housings with the facility for ceiling or wall mounting.
- Record images in colour HD quality.
- Not be affected by concentrated white light sources directed at the camera, such as car head lights and street lighting.
- Have a lockable steel cabinet for 'on-site' recording equipment or other hard drive units to one of the following standards:
 - LPS 1175 Security Rating 1 (A1), or
 - STS 202 Burglary Rating 1, or
 - SS314
- Identify each camera's location and record this information along with time and date stamping.
- Provide suitable methods of export and incorporate the required software to view the exported footage.
- Negatively impacted upon by lighting and landscape proposals
- Whether there is consideration for inclusion of comprehensive Operational use and Requirements Table
- Also, it is worth mentioning that the most important aspect of utilising CCTV is the quality of the system and its imagery.

CCTV cameras associated with visitor door entry systems covering communal entrances and internal lobby areas should be installed and be capable of providing images of persons that are clearly identifiable on smaller devices such as smart phones.

Ideally, CCTV systems should be monitored live 24/7 giving the ability to react to a situation as it occurs. However, this is not a requirement of Secured by Design for residential developments. Most CCTV systems are designed for recording images and for the post event investigation only, in which case nobody is required to monitor the activities live. Police recommend that images are stored for a minimum of 31 days.

Early discussions with an independent CCTV expert and potential installers can resolve a number of matters, including:

- monitoring and recording requirements.
- activation in association with the intruder alarm.
- requirements for observation, facial recognition/identification and automatic number plate recognition (ANPR) .
- areas to be monitored and field of view.

- activities to be monitored.
- the use of recorded images.
- maintenance of equipment and the management of recording.
- subsequent on-going training of operatives.
- Further advice, including the ICO CCTV Code of Practice is available at: www.ico.org.uk

Bicycle Security

Bicycle storage solutions should be constructed to the following 'Secured by Design' standards.

Bicycle parking will comprise of bicycle stands, anchor points, single and two-tier rack systems and dedicated lockers. The bicycle stands and rack systems, single or two tier, should be certified to one of the following standards:

- Sold Secure – SS104 Security Rating Bronze, or
- Element (Wednesbury) – STS 501 Security Rating TR1, or
- Element (Wednesbury) – STS 503 Security Rating TR1, or
- Warringtonfire – STS 205 Issue 6:2021 Security Rating BR1, or
- Warringtonfire – STS 225 Issue 1:2021 Security Rating BR1 (S), or
- Loss Prevention Certification Board LPS1175 Issue 8:2018 Security Rating A (A1)

Bicycle parking facilities should be limited to the storing of no more than seventy bikes; if larger numbers need to be stored at the same location, the facilities should be separated into discreet units and be subject to extra mitigating security measures as agreed with the Nottinghamshire Designing Out Crime Officer.

It is possible that a further house of multiple occupancy while resulting in the re-use of a vacant building would not necessarily achieve a mixed and balanced community if such properties continue to be converted in the same localised area, and the residents of them remain transient and lack ownership or desire to become embedded in that community.

It is requested that the Secured by Design standard is achieved and formally accredited.

9

APPLICATION NO. 2026/0124 - 24 BOURNE STREET, NETHERFIELD, NOTTINGHAMSHIRE

Full planning Permission for the change of use of the property from a 6-bedroom HMO (C4 use) to 7-bedroom HMO (Sui Generis) for up to 7 occupiers.

The Principal Planning Officer informed members of the committee that, since the publication of the report, three late items had been received as follows:

The first was an objection letter was from the Ward Councillor whose concerns were similar to those expressed against the other HMO applications in Netherfield, as summarised previously at item 5 on the agenda, with an additional comment that houses at the railway end of Bourne Street flood when the River Trent was high and there were flood mitigation gates installed on at least three of these properties.

The second was an objection letter from a neighbouring occupier who raised concerns in relation to parking and traffic pressures, over concentration of HMOs in the area, no evidence of demand for further HMOs in the area, increased noise and disturbance, fire regulations, overlooking from additional windows and residents' security, no cycle storage provision, over-flowing bins and issues with the current garden wall.

The third late item was a letter from the applicant who stated that he had considered concerns that residents often raised regarding HMO accommodation and how these could be addressed through good design and responsible management, that the accommodation provided was significantly larger than that usually expected for an HMO development, there was secure cycle storage and screened bin storage to the rear of the property and that his aim was to create accommodation that residents could enjoy living in whilst also being respectful of neighbours and the surrounding community.

The Principal Planning Officer then went on to introduce the report.

RESOLVED:

To GRANT PLANNING PERMISSION: subject to the following conditions:

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 The development shall be undertaken in accordance with the application form, the Design and Access Statement, the site location plan received on the 27th February 2026, the revised plans received on the 20th May 2026, drawing numbers: 03-000, 03-003, 03-001, 03-002, 03-004 and the Flood Risk Statement received on the 21st May 2026.

Reasons

- 1 In order to comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
- 2 For the avoidance of doubt.

Reasons for Decision

The proposed development is consistent with national and local planning policies. Whilst Members acknowledged that the proposal may give rise to some local inconvenience, including additional pressure on on-street parking and the general impacts associated with HMO occupation, these impacts were not considered to amount to unacceptable harm to residential amenity or highway safety so as to justify refusal on planning grounds. Space standards within the development were considered acceptable, and the proposal was also considered acceptable in respect of flood risk. The development was therefore considered appropriate in its context and in accordance with the relevant development plan policies.

Notes to Applicant

The developer is advised to ensure compliance with the relevant Building Regulations.

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.

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 39 of the National Planning Policy Framework.

It is noted that there is no reference to crime prevention or security measures to be implemented in the redevelopment of this property in the documentation provided. There is reference to the responsibility of the tenants for security, however, this is limited to their actions.

Many of the HMOs visited by the police have poor standards of security which render the occupants at an increased risk of becoming victims of crime. As the occupants of HMOs do not own the property it is often difficult for them to adopt any crime reduction recommendations made by the police after a crime has taken place.

Statistically, the likelihood of being a repeat victim of house burglary in England & Wales increases exponentially unless crime reduction measures are adopted (Tseloni et al., 2018).

Secured by Design' (SbD) is a police initiative to guide and encourage those engaged within the specification, design and build of new homes, and those undertaking major or minor property refurbishment, to adopt crime prevention measures. 'Secured by Design' is proven to reduce the opportunity for crime and the fear of crime, creating safer, more secure and sustainable environments. Secured by Design is owned by the UK

Police Service and is supported by the Home Office, Building Control Departments in England (Part Q Security – Dwellings), Scotland (Building Standard 4.13) and Wales (Part Q Security – Dwellings) all reference SBD.

Secured by Design (SBD) is a place-based approach to crime reduction that brings together standards of physical security with the broader principles of Crime Prevention Through Environmental Design (CPTED) to set minimum requirements that enable properties to be awarded SBD status. The results of several studies have shown that housing design plays a key role in influencing offender decision-making, the risk of surveillance and standards of physical security being primary deterrents (Armitage & Tompson, 2022).

https://www.securedbydesign.com/images/design-guides/residential_guide_2025_270225_final.pdf

Secured by Design would advise the following measures for this development:

Access control and door entry systems

Smaller developments containing 25 or less, apartments, bedsits or bedrooms should have a visitor door entry system and access control system. The technology by which the visitor door entry system operates is a matter of developer choice, however it should provide the following attributes:

- Access to the building via the use of a security encrypted electronic key (e.g. fob, card, mobile device).
- Vandal resistant external door entry panel with a linked camera.
- Ability to release the primary entrance door set from the dwelling or bedroom (in the case of student accommodation or House in Multiple Occupation).
- Live audio and visual communication between the occupant and the visitor.
- Ability to recover from power failure instantaneously.
- Unrestricted egress from the building in the event of an emergency or power failure.
- Control equipment to be located in a secure area within the premises covered by the CCTV system and contained in a lockable steel cabinet to LPS 1175 Security Rating 1 or STS 202 Burglary Rating 1.

Door sets

All door sets allowing direct access into to the home, dedicated private flat or apartment entrance door sets, communal door sets shall be certificated to one of the following standards:

- PAS 24:2016 (Note 23.4b), or
- PAS 24:2022 (Note 23.4b), or
- STS 201 Issue 12:2020 (Note 23.4c), or
- LPS 1175 Issue 7.2:2014 Security Rating 2+ (Note 23.4d), or
- LPS 1175 Issue 8:2018 Security Rating A3+, or
- STS 202 Issue 10:2021 Burglary Rating 2 (Note 23.4d), or
- LPS 2081 Issue 1.1:2016 Security Rating B (Notes 23.4d and 23.4e), or
- STS 222 Issue 1:2021

Windows

All easily accessible windows (including easily accessible roof lights and roof windows) shall be certificated to one of the following standards:

- PAS 24:2016 (Note 24.2b), or
- PAS 24:2022, (Note 24.2b), or
- STS 204 Issue 6:2016 (Note 24.2c), or
- LPS 1175 Issue 7.2:2014 Security Rating 1 (Note 24.2d), or
- LPS 1175 Issue 8:2018 Security Rating 1/A1, or
- STS 202 Issue 10:2021 Burglary Rating 1, or
- LPS 2081 Issue 1.1:2016 Security Rating A, or
- STS 222 Issue 1:2021

Note: Easily accessible is defined within Approved Document Q Appendix A as:

- A window or doorset, any part of which is within 2 metres vertically of an accessible level surface such as a ground or basement level, or an access balcony, or
- A window within 2 metres vertically of a flat roof or sloping roof (with a pitch of less than 30°) that is within 3.5 metres of ground level.

External Lighting

Where possible the lighting requirements within BS 5489-1:2020 should be applied. Developers are advised that there is further guidance available from the Chartered Institute of Building Services Engineers (CIBSE) and the Society of Light and Lighting (SLL).

Lighting is required to illuminate all elevations containing a door set, car parking and garage areas and footpaths leading to dwellings and blocks of flats. Bollard lighting is not appropriate as it does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime.

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Bicycle Security

Bicycle storage solutions should be constructed to the following 'Secured by Design' standards.

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- Element (Wednesbury) – STS 501 Security Rating TR1, or
- Element (Wednesbury) – STS 503 Security Rating TR1, or
- Warringtonfire – STS 205 Issue 6:2021 Security Rating BR1, or
- Warringtonfire – STS 225 Issue 1:2021 Security Rating BR1 (S), or
- Loss Prevention Certification Board LPS1175 Issue 8:2018 Security Rating A (A1)

Bicycle parking facilities should be limited to the storing of no more than seventy bikes; if larger numbers need to be stored at the same location, the facilities should be separated into discreet units and be subject to extra mitigating security measures as agreed with the Nottinghamshire Designing Out Crime Officer.

It is possible that a further house of multiple occupancy while resulting in the re-use of a vacant building would not necessarily achieve a mixed and balanced community if such properties continue to be converted in the same localised area, and the residents of them remain transient and lack ownership or desire to become embedded in that community.

It is requested that the Secured by Design standard is achieved and formally accredited.

*Councillor Greensmith left the meeting at 7.38pm
Councillor Greensmith re-joined the meeting at 7.41pm*

**10 REPORT TO COMMITTEE - THE TOWN AND COUNTRY
PLANNING (CONSULTATION) (ENGLAND) DIRECTION 2026**

The Assistant Director – Development introduced the report, which was circulated in advance of the meeting, briefing Members on the recent legislative changes introduced by the Town and Country Planning (Consultation) (England) Direction 2026.

RESOLVED:

To note the contents of the report and that of the Town and Country Planning (Consultation) (England) Direction 2026.

**11 APPEAL SUMMARY REF: 6003110 - 10 TRINITY CRESCENT,
LAMBLEY, NOTTINGHAMSHIRE**

Councillor Maltby left the meeting at 7.57pm

Single storey side extension with external raised decking to the rear. Detached garage within the frontage garden of the dwelling. Re-roofing work and new rooflights introduced to the front elevation roof.

RESOLVED:

To note the information.

12 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

Councillor Maltby re-joined the meeting at 7.59pm

13 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

14 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 8.00 pm

Signed by Chair:
Date:

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PLANNING COMMITTEE PROTOCOL

Introduction

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

Disclosable Pecuniary and Non- Pecuniary Interests

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

Pre-determination and Predisposition

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

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

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

Lobbying

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

Roles at Planning Committee

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

Speaking at Planning Committee

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

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

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

Determination of planning applications

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

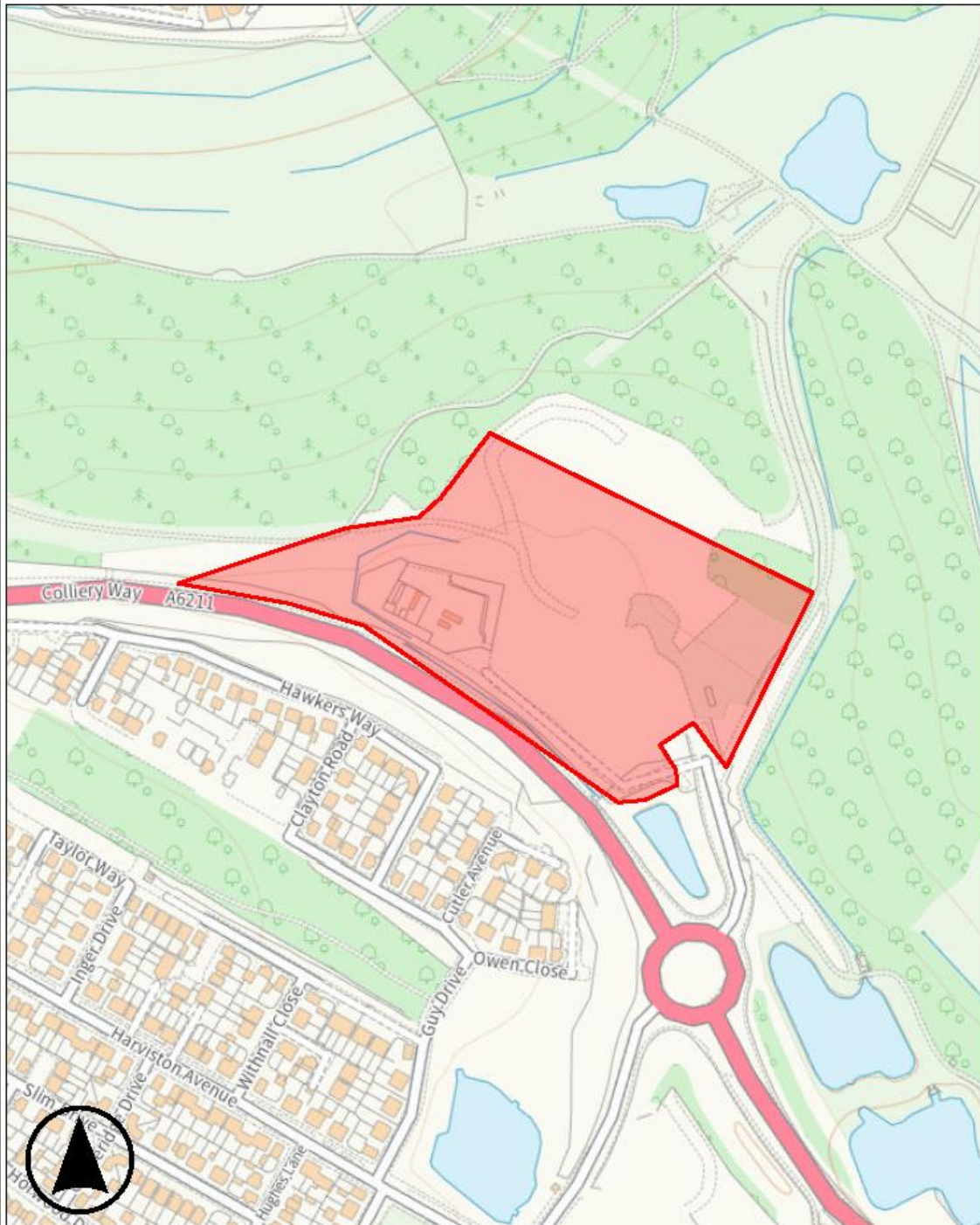
Oct 2015

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Planning Report for 2025/0550

Planning Reference: **2025/0550 Development Site Chase Farm, Arnold Lane, Gedling**
Scale: 1:3,000



NOTE This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site.
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Reaching People Improving Lives

Date: 06/07/2026

Report to Planning Committee

Application Number: 2025/0550

Location: Development Site Chase Farm, Arnold Lane, Gedling, Nottinghamshire

Proposal: Reserved Matters application for Appearance, Landscaping, Layout and Scale in relation to outline planning permission 2017/1571 for "Erection of employment units (Class B1c/B2/B8 Use), Pub/Restaurant (Class A3/A4 Use) and Drive Thru (Class A3 Use), together with associated parking, servicing and landscaping."

Applicant: Mr J Emmerson - Mypad Limited

Agent: Inovo Consulting

Case Officer: Claire Turton

The application is referred to Planning Committee because under the Council's Scheme of Delegation, applications proposing 5,000 or more square metres of new commercial floor-space must be determined by the Planning Committee

As this is a reserved matters application pursuant to the outline permission (ref. 2017/1571) the principle of development and access have already been established through the outline planning permission. The assessment is therefore limited to layout, scale, appearance and landscaping.

1.0 Site Description

- 1.1 The application site has an overall area of approx. 3.76 hectares and is part of the redevelopment of the former Gedling Colliery.
- 1.2 The site is currently unoccupied apart from the gas monitoring and extraction plant in the north western corner of the site which is dealing with gas emissions from the former colliery workings. Currently the compound has a temporary permission until the 27th of June 2037, though gas may be present beyond this date
- 1.3 The application site is previously developed land which is now mostly reclaimed by grassland and areas of hardstanding remaining from the previous industrial uses.
- 1.4 Gelding Country Park lies to the north, east and west of the site. To the south of the site lies the A6211, Colliery Way, with a new housing development beyond.

- 1.5 The site is an Employment Allocation under Policy LPD71 in the Local Planning Document.
- 1.6 The site is covered by a Local Wildlife Site (LWS) – the Gedling Colliery and Dismantled Railway LWS which includes Open Mosaic Habitat (OMH) on previously developed land.
- 1.7 The site is located within Flood Zone 1 and is therefore at a low risk of fluvial flooding.
- 1.8 The site is located within a Coal Mining Development High Risk Area.

2.0 Proposed Development

- 2.1 There is an extant outline planning permission at the site, reference 2017/1571, for:-

“Erection of employment units (Class B1c/B2/B8 Use), Pub/Restaurant (Class A3/A4 Use) and Drive Thru (Class A3 Use), together with associated parking, servicing and landscaping.”

Access details were approved as part of the above outline planning permission. These are from an access road from the roundabout to the south-east of the site. For clarity, the outline planning permission is attached as appendix 1 of this Committee Report.

- 2.2 This current application seeks Reserved Matters approval for Appearance, Landscaping, Layout and Scale in relation to outline planning permission 2017/1571.
- 2.3 This current application proposes 5 detached buildings. 3 of the buildings are proposed for employment uses which at the time of the grant of outline planning permission were Planning Use Class B1c, B2 and B8. The Planning Use Class Order has been amended since the grant of outline planning permission at the site and Planning Use Class B1c has been amended to E(g)(iii) (any industrial process being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit). Planning Use Classes B2 (General Industry) and B8 (Storage and Distribution) remain the same. 1 of the buildings is proposed to be a public house / restaurant (previously an A3 / A4 use, now an A3 / sui generis use). 1 of the buildings is proposed to be a Drive Thru restaurant (previously Use Class A3, now Use Class E(b)).
- 2.4 The scheme has been designed locating the Drive Thru close to the access point to the site and adjacent to the Country Park access. The Public House / Restaurant adjoins the Drive Thru to group these eating and drinking establishments together. The employment uses have been located on the remainder of the site.
- 2.5 Unit A proposes 1954.1 square metres of employment use and units B and C each propose 1742.5 square metres of employment use. Unit D proposes a

535.8 square metre public house and unit E proposes a 351.8 Drive Thru restaurant.

- 2.6 This application proposes associated parking and servicing areas as well as landscaping in and around the site.
- 2.7 Amended plans have been submitted part way through the planning application process following concerns raised by the Planning Officer regarding visual amenity. This is discussed in further detail in the “Appraisal” section of this report.

3.0 Relevant Planning History

- 3.1 **2017/1571** Outline planning permission was granted in July 2020 for:-

“Erection of employment units (Class B1c/B2/B8 Use), Pub/Restaurant (Class A3/A4 Use) and Drive Thru (Class A3 Use), together with associated parking, servicing and landscaping.”

This has already been detailed in Section 2 of this report.

4.0 Consultations

- 4.1 Gedling Borough Council Ecology Officer –

Now raises no objection. Originally commented that:-

Condition 11 of the outline planning permission listed the information which shall be submitted as part of the reserved matters application in relation to landscaping, including details of the mitigation and compensation for the loss of the OMH. The Ecology Officer originally raised concerns that the submitted information as part of this reserved matters application did not provide sufficient details regarding the mitigation and compensation for the loss of OMH or details of the mitigation and landscaping proposals in relation to dingy skipper (butterflies) as well as a programme of implementation. The applicant has submitted further information in relation to these comments and the Ecologist is now satisfied with these details.

Condition 3 of the outline planning permission stated that the submission of all reserved matters and the implementation of the development shall be carried out in accordance with the plans and documents approved as part of the outline planning permission, including the habitat, bat and bird breeding surveys. The Ecology Officer is satisfied that the provided soft landscaping plans are in accordance with the above surveys, however, advises that these surveys are now eight years old and considered out of date, as the site and the species it supports may have changed significantly in the intervening time. While not required at this stage, updated bat and breeding bird surveys may need to be completed before development is commenced, depending on the results of the updated phase 1 habitat survey (required by condition 10). These further surveys may result in amendments being required to the current landscape plans. While not required at this stage, details of any outstanding avoidance, mitigation, compensation and enhancement measures and features detailed in

the Extended Phase 1 Habitat Survey, Bat Survey and Breeding Bird Survey reports should also be provided and approved before development is commenced in accordance with condition 10. The applicant has been made aware of this.

- 4.2 Gedling Borough Council Tree Officer – No objection. States he is satisfied with the proposed feathered and standard tree size, numbers, species, locations, and support methods.

Conditions attached to the outline planning permission regarding trees must be complied with.

- 4.3 Gedling Borough Council Scientific Officer – No objection.

Request conditions regarding the requirements for and details of additional Electric Vehicle Recharging Point as well as cable routes for future additional electric vehicle charging points.

The relevant conditions relating to contamination and air quality that are attached to the outline planning permission are still relevant.

- 4.4 Gedling Borough Council Environmental Health Officer;- No concerns.

- 4.5 The Environment Agency - No new comments to make at this reserved matters stage. State that they will comment again when the conditions relating to flood risk that are attached to the outline planning permission are being discharged.

- 4.6 The Mining Remediation Authority No objection. On the basis that the proposed development layout pays cognisance to the mine entries, both of which have been treated and that due consideration is afforded to the Mining Remediation Authority's Policy in relation to new development and mine entries, they can confirm no objections to this planning application.

Provide general information regarding building close to mine entries, including required permits.

- 4.7 The Highway Authority - No objection. Originally requested further information regarding the manner in which HGVs would be able to enter / exit Units A and B. Amended plans have now been submitted and the Highway Authority are happy with the amended plans.

Suggested that journey times to the site could be reduced for cyclists on Colliery Way by providing a pedestrian/cycle access point directly from it. (This is addressed in the main body of the report).

There are sufficient car parking spaces to serve the development. Originally suggested that the disabled spaces be relocated closer to the building entry points to aid access. (The scheme has now been amended in line with these comments).

All highway related conditions have been secured as part of the outline planning permission. However, recommend an informative be added to the grant of any

planning permission informing the applicant that the deposit of mud or other items on the public highway, and / or the discharge of water onto the public highway are offences under the Highway Act.

- 4.8 The Lead Local Flood Authority (LLFA) – No objection. The applicant must comply with the conditions relating to drainage that are attached to the outline planning permission. Originally raised concerns (outside of this Reserved Matters application) as to whether the proposal could incorporate the necessary Sustainable Urban Drainage Systems (SuDS) due to its layout and therefore whether the pre-commencement drainage conditions attached to the outline planning permission could be complied with. However, a meeting with the Planning Officer, LLFA and applicant indicated that the surface water attenuation pond has been assessed as capable of storing the discharged water and the LLFA is now satisfied that, subject to precise details controlled by a condition on the outline planning application, acceptable drainage details (which impacts the layout of the site) could be achieved.

- 4.9 Severn Trent Water – State they have no comment to make.

- 4.10 Nottinghamshire County Council Minerals Planning Authority:- *“It is noted that with the proposed area, there is gas compound in the northwest of the site which deals with gas emissions from the former colliery. The compound is permitted and monitored by the County Council as the Minerals Planning Authority, who must ensure the maintenance of gas pressure, prevention of leakage of gas and avoidance of pollution (paragraph 229, NPPF, 2024). Currently the compound has a temporary permission until the 27th of June 2037, though gas may be present beyond this date.*

The applicant in their Planning Statement recognises the presence of the compound and the lease for the site, indicating that this will be retained in the medium term, as long as required, and then will be redeveloped in the future. The County Council from a mineral perspective welcome this recognition and would highlight its retention is important to monitor gas which is of public benefit and ensures public safety. The County Council will continue to monitor this site throughout its permitted life and would subsequently determine any future applications for the compound if required. To ensure monitoring the County Council will require access to the site, it would be appreciated if the applicant can assure this.

Finally, we would also ask for Infinis, who operate the gas compound, to be made aware of this application, if they have not been already.”

- 4.11 Infinis:- Consulted but no response received.
- 4.12 Nottinghamshire Police:- Support in principle. Recommend a planning condition regarding car park management and an anti-social behaviour plan.
- 4.13 Neighbouring occupiers:- Neighbouring properties were consulted via letter, a site notice was placed at the site and a notice published in the local press.

Letters of objection has been received from 1 neighbouring occupier on the grounds that the nearby residential estate has been designed for families. The area does not need another fast-food restaurant. Such restaurants affect anti-social behaviour with congregations of youths in modified cars using the road as a drag strip. There will be littering including in Gedling Country Park, the venue could be open 24 hours causing noise and light pollution. A fast-food restaurant is bad for people's health. Plus the restaurant use could impact on wildlife at the Country Park. They do not object to the public house as this use is more family friendly and doesn't attract groups of youths.

1 letter of support has been received on the grounds that the residential development at Chase Farm is expanding and that this proposal would introduce some accessible local facilities as well as businesses. There could also be employment opportunities for local residents.

5.0 Relevant Planning Policy

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that: 'if regard is 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 National Planning Policy Framework (NPPF) (2024) and the National Planning Practice Guidance (NPPG) are both material considerations in the determination of this application, in line with Section 38(6) of the Planning and Compulsory Purchase Act 2004. The NPPF sets out the national objectives for delivering sustainable development. Sections 2 (Achieving Sustainable Development), 4 (Decision making), 6 (Building a Strong Competitive Economy), 9 (Promoting sustainable transport), 11 (Making effective use of land), 12 (Achieving well-designed places), 15 (Conserving and enhancing the natural environment), are particularly relevant in this instance.
- 5.3 The Gedling Borough Council Aligned Core Strategy (GBACS) (September 2014) is part of the development plan for the area. The following policies are relevant in considering this application:
- Policy A (Presumption in Favour of Sustainable Development) sets out that a positive approach will be taken when considering development proposals.
 - Policy 1 (Climate Change) states All development proposals will be expected to mitigate against and adapt to climate change, to comply with national and contribute to local targets on reducing carbon emissions and energy use.
 - Policy 2 (The Spatial Strategy) directs most development to in or adjacent to main built-up areas
 - Policy 4 (Employment Provision and Economic Development) states that the economy of the area will be strengthened and diversified with new floorspace being provided across all employment sectors and by promoting significant new

economic development as part of Sustainable Urban Extension at Gedling Colliery/Chase Farm.

- Policy 10 (Design and Enhancing Local Identity) sets out that “development will be assessed in terms of its ‘massing, scale and proportion; materials, architectural style and detailing and impact on the amenity of nearby residents and occupiers’.”

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

- Policy LPD 18 (Protecting and Enhancing Biodiversity) development proposals will be expected to take opportunities to incorporate biodiversity in and around development and contribute to the establishment and maintenance of green infrastructure.
- Policy LPD 19 – (Landscape Character and Visual Impact) states Planning permission will be granted where new development does not result in a significant adverse visual impact or significant adverse impact on the character of the landscape.
- Policy LPD 32 (Amenity) requires that development proposals do not have a significant adverse impact on the amenity of nearby residents or occupiers, taking into account potential mitigation measures.”
- Policy LPD 35 (Safe, Accessible and Inclusive Development) provides criteria to achieve Safe, Accessible and Inclusive Development.
- Policy LPD 44 (Retention of Employment Uses) states planning permission will be granted for the redevelopment of land for employment uses on allocated employment sites provided certain criteria can be met.
- Policy LPD57 (Parking Standards) states that planning permission for non-residential development will be granted where the development proposal meets the requirement for parking provision set out in Appendix D, or otherwise agreed by the local planning authority. (Please note Appendix D has now been replaced by the Parking Standards SPD).
- Policy LPD61 (Highway Safety) states that planning permission will be granted for development proposals which do not have a detrimental effect on highway safety, patterns of movement and the access needs of all people.
- Policy LPD 71 (Employment Allocations) allocates the site for employment-led mixed use development.

5.6 Supplementary Planning Documents and Guidance

- Gedling Colliery and Chase Farm Development Brief Supplementary Planning Document (June 2008).

- Parking Provision for Residential and Non-Residential Development Supplementary Planning Document (February 2022).
- Nottinghamshire County Council Highway Design Guide
- The Greater Nottingham Landscape Character Assessment (2009).

6.0 Appraisal

- 6.1 As noted above, the site already has outline planning consent with matters of access also approved at the outline stage. The reserved matters under consideration as part of this current planning application are appearance, landscaping, layout and scale. Linked to these matters is the need to ensure that the scheme is policy compliant and the key planning considerations are design and impact on the character of the area, impact on amenity, impact on highway safety (in relation to the layout of internal drive layouts and car parking areas only) and ecology (in relation to the landscaping and layout).

Design and impact on the character of the area

- 6.2 The layout of the scheme has been amended part way through the planning application process. This was because the Planning Officer raised concerns with the visual impact of Unit B on the character and appearance of the area, particularly when viewed from the main road (the Gedling Access Road). Unit B was originally proposed to be sited with its rear elevation facing the main highway. This was the least interesting elevation from a design point of view, consisting of the widest elevation (at 60.1 metres) and containing the least amount of windows and doors and other design features. It was also located relatively close to the boundary with the main road, between 5 and 10 metres away. As such, the applicants were asked to look at re-siting this building within the plot. Noting that any re-siting may need to take into account the capped mine entry within the site.
- 6.3 Amended plans were subsequently submitted by the applicant showing the unit turned 90 degrees within the plot with the smaller side elevation now fronting the main road. The building has also been set back slightly within the plot and is now 6.5 metres away from the front boundary, making it less visually prominent.
- 6.4 With regards to scale, there are no buildings immediately close to the site which the proposals need to be in-keeping with. There are residential properties to the other side of the Gedling Access Road but these are set back from the road and located on higher land than the both the road and development site. The scale of the built form itself is not considered to represent an over-development.
- 6.5 With regards to elevation treatment, all of the units have been designed in a contemporary commercial style. Large glazed sections and cladding with contrasting textures and colours are proposed to visually reduce the mass of the buildings. Feature glazing is proposed to identify key entrances and add focal points to the buildings. The materials palette includes grey, silver and anthracite cladding with contrasting textures, red brick and timber effect cladding, which adds interest to the buildings. Overall, the buildings appear as well-designed commercial buildings and are appropriate for their context.

- 6.6 The proposed hard landscaping is considered to be visually acceptable. The Planning Officer did query whether the proposed car parking areas could be visually broken up with different coloured block paving, instead of large expanses of tarmac. The applicant responded that as this application is for an industrial/commercial development the car parking areas will need to be capable of both providing parking and also at certain times manoeuvring space for larger heavy goods vehicles. As such, and also because the end-users are unknown, there is a need for flexibility in this regard. Individual occupiers will have their own operational needs which will, to an extent, dictate the surfacing of the parking areas which could include some block paving or different coloured tarmac. As such, it is considered that the best way to deal with this is a pre-occupation condition requiring precise hard landscaping materials for the car parking areas to be submitted to and agreed in writing by the Local Planning Authority. This is set out in Section 8 of this Committee Report.
- 6.7 Boundary treatment, in relation to individual plot boundaries, at the site is also considered to be visually acceptable with 1.1 metre high post and rail fencing to front and side boundaries with green planting areas to rear of that. 2.4 metre high green mesh security fencing is proposed within the site itself closer to the industrial units and car parking areas.
- 6.8 The applicant has also submitted details of existing and proposed site levels for both the ground levels and the buildings. These are considered to be acceptable. Whilst a retaining wall is required at some parts towards the front of the site, this is set back from the public highway by grass verges as well as proposed site landscaping. Furthermore, the height of the wall drops in line with land levels and is 2.3 metres at its highest point but only 0.8 metres for other parts. This is not considered to be out of keeping with a number of taller retaining walls and fences along Colliery Way. This development will, therefore, not appear out of character with the area.
- 6.9 The proposed soft landscaping is considered to be acceptable from a visual amenity point of view with green planting areas towards the front of the site, visible from public areas and used to visually soften the appearance of the built-form. The Council's Tree Officer has raised no objection to the proposal stating that they are satisfied with the proposed feathered and standard tree size, numbers, species, locations, and support methods but that conditions attached to the outline planning permission regarding trees must be complied with. I see no reason to disagree with the professional advice of the Tree Officer.
- 6.10 To conclude this section, it is considered that the overall appearance, landscaping, layout and scale of the proposal complies with the relevant design planning policies set out in Section 5 of this report. In particular, it complies with the objectives of the National Planning Policy Framework, the Aligned Core Strategy Policy 10 and LPD19.

Impact on Neighbouring Amenity

- 6.11 Given the substantial distances to the nearest neighbouring properties (in excess of 80 metres) and the location of the main road, Colliery Way, in between the site and the Chase Farm housing development, it is considered

that there will be no unacceptable impact on residential amenity arising from the appearance, layout or scale of the development proposed.

- 6.12 This reserved matters application is only to assess the appearance, layout, scale and landscaping of the development. Issues of potential noise and disturbance from the principle of the development were assessed at the outline stage and were considered to be acceptable, subject to conditions such as requiring a Construction Emissions Management Plan. The conditions attached to the outline planning permission will require discharging prior to development commencing.
- 6.13 It is noted that a neighbour has objected to the proposal on the grounds of the fast-food restaurant attracting groups of youths. They state they have no objection to the public house as this is more family friendly. However, they state that the fast-food restaurant will attract congregations of youths in modified cars, using the road as a drag strip and, if the venue is open 24-hours a day then it will cause noise and light pollution. Whilst these comments are noted, for the reason explained in paragraph 6.12 of this report outline planning permission for a drive thru restaurant in this location has already been approved. However, in line with the Police consultee response, the applicant has agreed to a condition regarding the submission of a car parking management and anti-social behaviour plan for the car parking areas to be submitted to and agreed in writing by the Local Planning Authority, prior to each individual unit being brought into use and this is set out in Section 8 of this report.
- 6.14 The Council's Environmental Health Officer has raised no objection to this reserved matters application in terms of noise and disturbance. I see no reason to disagree with this professional advice.
- 6.15 To conclude this section, it is considered that the overall appearance, landscaping, layout and scale of the proposal will not impact on neighbouring amenity and that the proposal complies with the relevant planning policies in relation to amenity set out in Section 5 of this report. In particular, it complies with the objectives of the National Planning Policy Framework and LPD32.

Highway Safety

- 6.16 The access to the site has already been approved as part of the outline planning application. However, the layout of the internal roads and car parking areas require assessing as part of this current reserved matters planning application.
- 6.17 The access road connecting the site to Colliery Way roundabout has already been constructed. This includes a 7.3m carriageway with one 2m footway and one 3m shared footway/cycleway which connects to the existing shared footway / cycleway on Colliery Way.
- 6.18 A central access road is proposed to service the site itself with the car parks for each individual unit accessed from this central access road.
- 6.19 The Highway Authority initially requested a swept path analysis be undertaken to demonstrate how HGVs will safely enter and exit the units in a forward gear.

Plans have been submitted to show this and the Highway Authority raise no objection. I see no reason to disagree with the professional advice of the Highway Authority.

- 6.20 Gedling Borough Council's Parking Standards SPD refers to Nottinghamshire County Council's Highway Design Guide for commercial parking standards. The proposed car parking spaces for the development comply with these required standards, with car parking provided for each individual unit plus an additional overspill car parking area containing 32 spaces. On the advice of the Highway Authority, amended plans have been submitted moving the disabled car parking spaces closer to the entrance to each building.
- 6.21 The Highway Authority suggested that journey times to the site could be reduced for cyclists on Colliery Way by providing a pedestrian/cycle access point directly from it. The applicant was asked to look into this. The applicants looked at providing a more direct pedestrian link from the residential estate on the opposite side of Colliery Way to this site (a footpath built over the existing grass verge on the opposite side of Colliery Way up to the pedestrian crossing opposite the site). However, this would have resulted in installing a new footpath over a 200 metre section of grass verge and would result in only a shorter walking distance of 10 metres from the existing pedestrian footpaths leading from the residential development to this site. Given the limited improvement, it was not considered that this was sufficient to justify the works as it did not provide a meaningful enhancement to the overall connection. The provision of a footpath connection along Colliery Way to create a direct pedestrian connection into the development has also been carefully considered. However, this option is not considered achievable due to a number of existing constraints. A highway drainage ditch runs along the length of the existing road, which presents a significant physical barrier to the formation of a safe and compliant footpath. In addition, the proposed development parcels for Units A and B are designed at levels of up to approximately 4 metres higher than the existing road level. This substantial change in level would make the formation of a suitable and accessible pedestrian access impractical, as it would require extensive engineering works, including steep gradients and retaining structures which could impact on the ecology and visual amenity of the site.
- 6.22 For the reasons stated above, it is considered that the proposals would not have an unacceptable adverse impact on highway safety and is therefore in accordance with Section 9 of the NPPF (2024), Policies LPD 57 and LPD 61 of the LPD (2018) Gedling Borough Council's Parking Standards SPD and Nottinghamshire County Council's Highway Design Guide.

Ecology

- 6.23 The site is covered by a Local Wildlife Site (LWS) – the Gedling Colliery and Dismantled Railway LWS which includes Open Mosaic Habitat (OMH) on previously developed land. OMH are a unique type of habitat found predominantly on brownfield sites. They consist of a complex mix of unvegetated or sparsely vegetated surfaces, interspersed with more densely vegetated areas. This creates a dynamic 'mosaic' of habitats that can support a diverse range of species. OMH are a Habitat of Principal Importance (HPI).

- 6.24 Soft landscaping details are required to be assessed as part of this current Reserved Matters planning application.
- 6.25 Condition 11 of the original outline planning permission detailed what landscaping information should be submitted as part of this subsequent reserved matters application. Condition 11 of outline planning permission 2017/1571 is copied below for clarity.

“The detailed plans and particulars to be submitted as reserved matters in relation to landscaping shall include:

(a) details of the size, species, positions and density of all trees and shrubs to be planted (in accordance with BS 8545:2014 Trees: from nursery to independence in the landscape), which shall consist of native species, ideally of local provenance, where possible;

(b) details of the boundary treatments, including those to individual plot boundaries;

(c) the proposed means of surfacing access roads, car parking areas, roadways and the frontages of properties

(d) details of the mitigation and compensation for the loss of Open Mosaic Habitat

(e) details of the mitigation and landscaping proposals in relation to dingy skipper (butterflies) and

(f) a programme of implementation.

The development shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development.”

- 6.26 The Council's Ecology Officer initially raised concerns that the originally submitted landscaping plans that form part of this reserved matters application did not provide sufficient detail regarding (d) details of the mitigation and compensation for the loss of Open Mosaic Habitat and (e) details of the mitigation and landscaping proposals in relation to dingy skipper (butterflies) to allow her to confirm that the proposed landscaping will adequately compensate for the lost habitat, particularly with regard to the OMH. As such, it was requested that the applicant provide additional details including the pre and post-development areas of these habitats, details of the proposed Open Mosaic Features and a statement from the scheme's ecologist detailing how they have informed the designs for the proposed landscaping and how the design compensates for the lost habitat. A programme for implementation as set out in part (f) of condition 11 of the outline was also requested.
- 6.27 Such additional information was submitted by the applicant showing that much of the area of existing OMH is being retained as existing to benefit the Dingy Skipper, as a result the topography and the existing scrubland/wildflower mosaic will all be retained and enhanced as per the detailed landscape

proposals. The Council's Ecologist now raises no objection to the proposals, subject to ensuring that any trees planted in the OMH area are managed to ensure that they do not shade out or encroach too heavily on the grassland and sparsely vegetated areas of the OMH. This would be covered by Condition 10 of the outline planning permission in any case.

- 6.28 Bat and breeding bird surveys were approved as part of the original outline planning application. The Council's Ecologist is satisfied that the proposed soft landscaping plans are in accordance with the recommendations of the previously approved bat and breeding bird surveys. However, these surveys are now eight years old and considered out of date, as the site and the species it supports may have changed significantly in the intervening time. While not required at this stage, updated bat and breeding bird surveys may need to be completed before development is commenced, depending on the results of the updated ecology survey required to be submitted prior to development commencing by condition 10 of the original outline planning permission. The applicant has been made aware of this and this is already controlled by conditions attached to the outline planning permission.
- 6.29 Condition 10 of the outline planning permission requires updated surveys and *"Further information in relation to the loss of Open Mosaic Habitat, including mitigation and/or compensation measures and quantification of losses/gains using an ecological accounting approach"* to be provided before development is commenced. While these items are not required at this stage, it should be noted that, depending on the outcome of the surveys and detailed OMH mitigation and compensation plan, amendments to the landscaping plans may be required before development commences. The applicant has been made aware of this. If amendments to the landscaping plans are required at a later date then this would either be through a non-material amendments application, variation of condition application or through a new reserved matters approval, depending on the nature of the changes.
- 6.30 For the reasons stated above, it is considered that the proposals would not have an unacceptable adverse impact on ecology at the site and is therefore in accordance with relevant planning policy, including the NPPF (2024) and LPD18.

Other Issues

- 6.31 Issues of flooding and drainage were assessed as part of the outline planning permission and were considered to be acceptable, subject to conditions. All planning conditions attached to the outline planning permission will be required to be complied with. The LLFA did raise concerns (outside of this Reserved Matters application) as to whether the proposal could incorporate the necessary Sustainable Urban Drainage Systems (SuDS) due to its layout and therefore whether the pre-commencement drainage conditions attached to the outline planning permission could be complied with. However, a meeting with the Planning Officer, LLFA and applicant indicated that the surface water attenuation pond has been assessed as capable of storing the discharged water and the LLFA is now satisfied that, subject to precise details controlled by a condition on the outline planning application, acceptable drainage details could realistically be satisfied without material changes to the approved layout.

- 6.32 Gedling Borough Council's Scientific Officer has requested planning conditions regarding the requirements for and details of additional Electric Vehicle Recharging Point as well as cable routes for future additional electric vehicle charging points. These are already shown on the submitted plans and will be dealt with at the building regulations stage. The Scientific Officer's suggestion of a condition regarding contamination investigations at the site is already included on the Outline planning permission.
- 6.33 The site is located within a Coal Mining Development High Risk Area. As such, The Mining Remediation Authority were consulted on the application but raised no objection due to the fact that the proposed development layout pays cognisance to the mine entries, both of which have been treated, and that due consideration is afforded to the Mining Remediation Authority's policy in relation to new development and mine entries. They provide general information regarding building close to mine entries, including required permits. I see no reason to disagree with the professional comments of The Mining Remediation Authority. Their provided information should be attached as informatives to the grant of any reserved matters permission, as set out in Section 8 of this Committee Report.
- 6.34 There is a gas monitoring and extraction plant in the north western corner of the site which is dealing with gas emissions from the former colliery workings. Currently the compound has a temporary permission until the 27th of June 2037. As such, Nottinghamshire County Council, as the Minerals Planning Authority (MPA), has been consulted on this Reserved Matters application. The MPA advise that the compound is permitted and monitored by the County Council as the Minerals Planning Authority, who must ensure the maintenance of gas pressure, prevention of leakage of gas and avoidance of pollution. The MPA advise that;-

"The applicant in their Planning Statement recognises the presence of the compound and the lease for the site, indicating that this will be retained in the medium term, as long as required, and then will be redeveloped in the future. The County Council from a mineral perspective welcome this recognition and would highlight its retention is important to monitor gas which is of public benefit and ensures public safety. The County Council will continue to monitor this site throughout its permitted life and would subsequently determine any future applications for the compound if required. To ensure monitoring the County Council will require access to the site, it would be appreciated if the applicant can assure this. Finally, we would also ask for Infinis, who operate the gas compound, to be made aware of this application, if they have not been already."

I see no reason to disagree with the professional advice of the MPA. Informatives should be attached to the grant of any reserved matters approval stating that the gas monitoring and extraction plant should remain on-site as long as required by the MPA and that the MPA have full access to this for operational and maintenance purposes and this is set out in Section 8 of this report. In line with the comments of the MPA, Infinis (who operate the gas compound) have also been consulted on this application but no comments have been received.

- 6.35 Most of the neighbour comments have been addressed earlier in this report. In response to remainder of the neighbour objection, the principle of a fast-food restaurant has already been established through the granting of the outline planning permission. This current application can only assess the layout, scale, appearance and landscaping of the development.
- 6.36 In response to the neighbour letter of support, it is agreed that the scheme will bring some positive benefits to the area such as providing employment opportunities and local facilities to the new housing estate nearby. However, as mentioned above, the principle of the uses has already been established through the granting of the outline planning permission in any case.
- 6.37 It is not considered that this reserved matters application decision will be affected by Local Government Reorganisation. The applicant is a private company that is not connected to the Council. The planning permission runs with the land and condition 2 on the outline planning permission would allow a developer two years from the date of any reserved matters approval to commence development. Any pre-commencement planning conditions would require discharging by the Local Planning Authority under whichever Council is in place for the area at the time.
- 6.38 With regards to equalities implications, the buildings will be required to comply with the relevant building regulations, including accessibility. The proposed car parking areas also provides disabled parking bays.
- 6.39 With regards to sustainability implications, electric vehicle charging bays and cycle storage areas are proposed to promote sustainable transport. Large areas of soft landscaping and the retention of an OMH are also proposed.

7.0 Conclusion

- 7.1 The principle of the development has been established following the grant of outline planning permission 2017/1571. Access to the site has already been approved as part of planning permission 2017/1571. For the reasons stated above, the proposed layout, scale, appearance and landscaping (the reserved matters) of the development are considered to be acceptable and are not considered to have a significant unacceptable impact on the visual amenity or character of the area, neighbouring amenity, highway safety or ecology. It is considered that the proposal is appropriate for its context and is in accordance with the NPPF (parts 2, 4, 6, 9, 11, 12 and 15), Policies A, 1, 2, 4, 10 of the Aligned Core Strategy and Policies 18, 19, 32, 35, 44, 71 of the Local Plan.

8.0 **Recommendation: GRANT RESERVED MATTERS APPROVAL subject to the following conditions;-**

- 1 This permission shall be read in accordance with the following documents;-

Application form, received 14th July 2025
Site Location Plan, received 14th July 2025

Drawing no. 2024-802-P04A, Unit A Proposed Elevations & Roof Plan, received 20th February 2026

Drawing no. 2024-802-P02A, Unit A Proposed Floor Plan, received 20th February 2026

Drawing no. 2024-802-P05, Unit B Proposed Elevations, received 20th February 2026

Drawing no. 2024-802-P04, Unit B Proposed Floor Plan and Roof Plan, received 20th February 2026

Drawing no. 2024-802-P07, Unit C Proposed Elevations, received 20th February 2026

Drawing no. 2024-802-P06, Unit C Proposed Floor Plan and Roof Plan, received 20th February 2026

Drawing no. 2024-802-P08, Unit D Proposed Plans & Elevations, received 20th February 2026

Drawing no. 2024-802-P09, Unit E Proposed Plans & Elevations, received 20th February 2026

Drawing no. JBA 25/115-06 Rev B, Detailed Soft Landscape Proposals, received 20th February 2026

Drawing no. JBA 25/115-07 Rev B, Detailed Soft Landscape Proposals, received 20th February 2026

Drawing no. JBA 25/115-08 Rev B, Detailed Soft Landscape Proposals, received 20th February 2026

Drawing no. 2024-802-P01.K, Planning Site Layout, received 20th February 2026

Letter from James Blake Associates dated 15th October 2025 regarding Guidance on Habitat Mitigation for the Dingy Skipper at Colliery Way, Gedling Document titled "Measured Works Schedule," Detailed Soft Landscape Proposals, received 30th April 2026

Drawing no. JBA 25/115-01 Rev B, detailed Hard Landscape Proposals, received 20th February 2026

Drawing no. JBA 25/115-02 Rev B, detailed Hard Landscape Proposals, received 20th February 2026

Drawing no. JBA 25/115-03 Rev B, detailed Hard Landscape Proposals, received 20th February 2026

Drawing no. JBA 25/115-04 Rev B, detailed Hard Landscape Proposals, received 20th February 2026

Drawing no. 2024-802-P10.K, Enclosures and managed areas plan, received 16th April 2026

Drawing no. JBA 25/115-05, Detailed Soft Landscape Proposal, received 30th April 2026

Drawing no. 9037-P04, External Levels including Unit B Sheet 1 of 2, received 11th June 2026, as updated by the email from the applicant to the Local Planning Authority of 2nd July 2026

Drawing no. 9038-P04, External Levels including Unit B Sheet 2 of 2, received 11th June 2026, as updated by the email from the applicant to the Local Planning Authority of 2nd July 2026

- 2 The reserved matters details hereby permitted shall be constructed entirely of the materials details submitted as part of this reserved matters application
- 3 The landscaping scheme as approved shall be carried out in the first planting season following the completion of the development. Any trees, shrubs or

plants that die within a period of five years from the completion of the development, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species.

- 4 Full elevation details of the proposed bike storage areas shall be submitted to and approved in writing by the Local Planning Authority. The cycle stores hereby approved for each unit shall thereafter be constructed in accordance with the approved details and be available for use prior to the unit that it serves being brought into use. The cycle stores shall be retained for the life of the development.
- 5 Each unit shall not be occupied until the relevant car parking area serving that unit has been laid out in accordance with the approved details and is available for use.
- 6 Each building hereby approved shall not be occupied until a car park management and anti-social behaviour plan including measures to prevent anti-social behaviour, details of surveillance, lighting, hours of operation, and site management procedures for the car park serving that building has been submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter operate in accordance with the approved details.
- 7 Notwithstanding the approved hard landscaping plans listed in condition 2, each building hereby approved shall not be occupied until details of the hard surfacing materials to be used for the car parking areas serving that building has been submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and retained for the lifetime of the development.

- 1 Reason: For the avoidance of doubt.
- 2 Reason: In the interests of visual amenity.
- 3 Reason: In the interests of visual amenity and biodiversity
- 4 Reason: In the interests of sustainability
- 5 Reason: In the interests of highway safety.
- 6 Reason: In the interests of neighbouring amenity.
- 7 In the interests of visual amenity.

Informatives

The Borough Council has worked positively and proactively with the applicant, in accordance with the National Planning Policy Framework based on seeking solutions to problems arising in relation to dealing with the planning application.

With regards to the electric vehicle charging, 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) and The Electric Vehicles (Smart Charge Points) Regulations 2021.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

What is a permit and how to get one? - GOV.UK (www.gov.uk)

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at:

Building on or within the influencing distance of mine entries - GOV.UK Permit Terms and Conditions at Coal mining permit terms and conditions - GOV.UK (www.gov.uk)

Guidance which is in form of FAQs in section 10 at What is a permit and how to get one? - GOV.UK (www.gov.uk)

The gas monitoring and extraction plant currently on-site should remain on-site as long as required by the Minerals Planning Authority (MPA). The MPA will require full access to the plant for operational and maintenance purposes.

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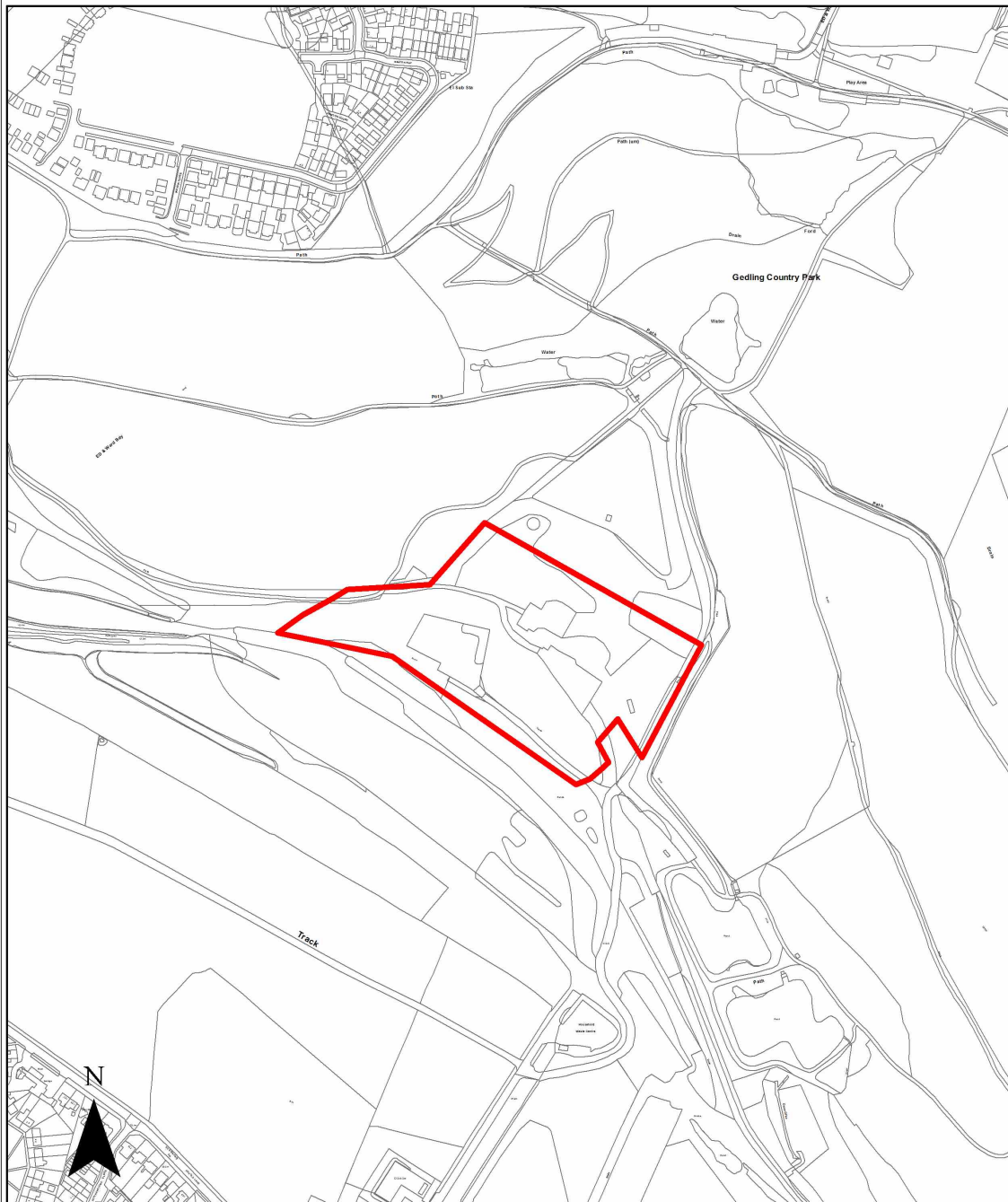


Planning Report for 2017/1571

1:4,500

Planning Reference: 2017/1571

Development Site Chase Farm
Arnold Lane Gedling



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

Application Number: 2017/1571

Location: Development Site Chase Farm Arnold Lane Gedling

Proposal: Erection of employment units (Class B1c/B2/B8 Use), Pub/Restaurant (Class A3/A4 Use) and Drive Thru (Class A3 Use), together with associated parking, servicing and landscaping.

Applicant: Harworth Group Ltd

Agent: Pegasus Planning Group

Case Officer: Paula Daley

This application was presented to Planning Committee on 7th November 2018 for determination and it was resolved that the Borough Council would grant outline planning permission with matters relating to Appearance, Landscaping, Scale, and Layout reserved for subsequent approval; subject to the applicant entering into a Section 106 Agreement with the Borough Council as local planning authority and with the County Council as local highway authority for the provision of, or financial contributions towards a Management Company, Integrated Transport Facilities, Translocation of Habitat and a Local Employment Agreement (in accordance with Section 14.0 of the report), and subject to conditions.

During the completion of the Section Agreement, it transpired that in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the correct notice had not been served on one of the land owners of the application site. The correct Article 13 Notice was subsequently served on the land owner on 3rd June 2019 and a new planning application form was submitted for consideration. Following the receipt of the above, new site notices, a press notice and relevant neighbour consultations were undertaken. No amended comments have been received to date. The application has not been amended in any other way and therefore the recommendation remains as per the 7th November 2018 Planning Committee Report with the which is reproduced in full below with the exception to an amendment to condition 3 which amends the date of the receipt of the amendment planning application form.

1.0 Site Description

- 1.1 The application site is situated to the north west of Lambley Lane, north of Gedling, and approximately 6.5km north east of the centre of Nottingham. The application site is to the north of Carlton, southeast of Arnold and west of Burton Joyce.
- 1.2 The site has an overall area of approximately 4.12ha and is located at the former Gedling Colliery. The site slopes generally from north to south, with the highest part located in the northern corner.
- 1.3 Gedling Colliery opened in 1899 and closed in 1991. The land occupied by the colliery extends between the A6211 Arnold Lane, Spring Lane and Lambley Lane. To the north is Gedling Country Park, which opened in March 2015, along with the recently opened visitor centre, café, children's play area, and solar park. To the south and south west is a residential led development known as Chase Farm. To date there has been 53 properties completed.
- 1.4 The site lies to the north, and would be accessed from the proposed Gedling Access Road (GAR) which has an extant planning approval reference: 2015/1033.
- 1.5 The application site is previously developed land which is now mostly reclaimed by grassland and areas of hardstanding remaining from the previous industrial uses.
- 1.6 The site is an Employment Allocation under Policy LPD71 in the Local Planning Document.
- 1.7 The site is covered by a Local Wildlife Site – the Gedling Colliery and Dismantled Railway LWS which includes Open Mosaic Habitat on previously developed land.
- 1.8 The site is located within Flood Zone 1 and not at risk of fluvial flooding. The flood risk assessment identifies that the site currently drains via a system of land drains to two existing lagoons located to the southeast of the site, which then drain into the nearby Ouse Dyke.
- 1.9 There is currently an energy plant run by Alkane Energy Limited in the northwest area of the site.

2.0 Relevant Planning History / Site Background

Relevant Planning History

- 2.1 In December, 2014, full planning permission was granted under application no: 2014/0915 for the GAR, the construction of which was proposed to be carried out in two phases.
- 2.2 In February, 2015, planning permission was granted under application no: 2015/0110 for a variation of condition 2 attached to planning permission no: 2014/0915 to amend the details of the approved plans so as to also refer to

additional drawings, showing limited vegetation clearance to allow gas main re-alignment and preparation for an interim roundabout, which would otherwise have constituted a commencement of development and require a wide range of pre-commencement conditions to be discharged at that stage.

- 2.3 In June, 2016, planning permission was granted under application no: 2015/1033 for a variation of condition 1 attached to planning permission no: 2014/0915 to enable the construction of the GAR to take place as a single construction programme, instead of two distinct, timed phases. The two phases would remain but there would be no restriction as to the order the phases are commenced.
- 2.4 On the 3rd March 2017 Conditional Permission was granted for the “Demolition of existing structures and phased development of 1,050 dwellings, local centre with retail units and health centre, and new primary school. Full planning permission for phase 1 to comprise the erection of 506 no. dwellings (2, 3, 4 and 5 bedroom houses and flats), vehicular access from Arnold Lane, internal roads and all associated infrastructure. Outline planning permission for subsequent phases, all matters reserved except for indicative access to the sites from phase 1, and future accesses from Gedling Access Road.” *app ref: 2015/1376.*

Site Background

- 2.6 The Gedling Borough Replacement Local Plan (adopted July 2005), now superseded by the adopted Local Planning Document (July 2018), provided a housing and employment strategy for the area which identified the former Gedling Colliery site as an allocated housing site for future development under H3 and the current application site as an allocation of employment land under RLP Policy E1. The Gedling Borough Local Planning Document (July 2018) provides an employment strategy for the site under Policy LPD 71 where the site is allocated for employment-led mixed use development. This is in recognition that a wider range of employment uses is required to help facilitate the development of the former colliery site. The development is reliant on the future construction of the GAR.
- 2.7 The construction of the GAR would follow a southern route from a new junction with the B684 created at Mapperley Plains, running parallel with the A6211 Arnold Lane, through the centre of the former Gedling Colliery site, to the east of which is Gedling Country Park. From the former colliery site, the GAR would cross a number of arable and pastoral fields, Glebe Farm and a section of the walled garden at Gedling House, which is a Grade II Listed Building, and a small section of the Carlton Academy grounds. The route would terminate at a new junction created with the A612 Burton Road, Burton Joyce. The proposed route of the GAR follows the route indicated on the Local Planning Document.
- 2.8 The GAR is a 3.8km road which unlocks the Gedling Colliery / Chase Farm site. The principle objectives of the GAR are twofold:
1. to facilitate the redevelopment of the Gedling Colliery / Chase Farm site and accommodate additional traffic generated; and

2. to provide a 'bypass' link around Gedling, linking the area with the wider strategic road network to help ease traffic congestion on local roads.

2.9 Nottinghamshire County Council is undertaking the land acquisition, design and construction of the GAR and have overall responsibility for its delivery, working in partnership with the Homes England, Gedling Borough Council, and Keepmoat. Compulsory Purchase Orders (CPOs) to secure land required by the road; are being managed by Nottinghamshire County Council and implemented as Local Highway Authority. In 2013, a Transport Modelling Appraisal established the basis for a phased programme of development. This allows the development of a maximum of 315 dwellings on the Gedling Colliery / Chase Farm site prior to completion and opening of the GAR.

3.0 Proposed Development

- 3.1 Outline Planning Permission is sought with all matters; except access, reserved for subsequent approval.
- 3.2 The application seeks permission for the erection of employment units (Use Class: B1c (Business) / B2 (General Industry) / B8 (Storage and Distribution)), a Pub / Restaurant (Use Class A3 / A4) and a Drive Thru (Class A3 Use), together with associated car parking, servicing and landscaping.
- 3.3 Access into the site would be provided via a connection to the GAR. All the proposed buildings, car parking and service areas would be accessed via a new access road that would run through the centre of the site.
- 3.4 Outline Planning Permission is sought for the erection of five units and a car park with the indicative parameters indicated below:
 - Drive Thru (Class A3 use) – approximately 280sqm;
 - Public House / Restaurant (Class A3 / A4 use) – approximately 800sqm;
 - Employment Units (Class B1c / B2 / B8 use) – 60,000sqft (5,574sqm) split across three 20,000sqft (1,858sqm) units; and
 - An overflow car park for the site measuring 0.15ha.
- 3.5 Access into the site would be via a new four-arm roundabout from the Gedling Access Road (GAR), the northern arm of which would be 7.3m wide.
- 3.6 A foul sewage pumping station is proposed to be discussed with Nottinghamshire County Council outside of the application site.
- 3.6 Various studies and reports have been submitted in support of this application and these are listed below:
 - Planning Statement (Pegasus Group);
 - Master planning (Harris Partnership);
 - Flood Risk Assessment and Drainage Strategy (Rodgers Leask);
 - Transport Assessment and Travel Plan (ADC Infrastructure);
 - Extended Phase 1 Habitat Survey Report (Applied Ecological Services);
 - Bat Survey Report (Applied Ecological Services);

- Breeding Bird Report (Applied Ecological Services).

- 3.7 The Design and Access Statement outlines the surface water strategy is to discharge runoff to the lagoons via a new on-site sustainable drainage networks incorporating water treatment.
- 3.8 The accompanying Transport Assessment demonstrates that the site is in a sustainable location with opportunities to travel by all sustainable modes of transport. The proposed new Gedling Access Road has been designed to accommodate the vehicle trips from both Chase Farm and the proposed development.
- 3.9 The development is located 800m from the nearest bus stop on Shelford Road; however, on completion of Chase Farm, a bus service would be rerouted close to the proposed development.

4.0 Application Publicity and Procedures

- 4.1 The application was publicised for representation on 10th January 2018 in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Five Site Notices advertising the application were displayed at Arnold Lane, Lambley Lane Recreational Ground, Glebe Farm View, Gedling Country Park, and Braunton Crescent. The required Press Notice has also been advertised in the Nottingham Post.

4.2 Neighbour Consultation and General Publicity Responses

- 4.2.1 The comments below were made in respect of this application. Three letters of representation were received as a result. One letter came from a member of the general public, one letter was received from the group 'Friends of Gedling Country Park' and, one letter was from 'Alkane Energy' a tenant at the site. Comments can be outlined as follows:

4.2.2 Landscape and Visual

- The development would not be in-keeping with the area.
- The proposed Industrial units would be harmful to the areas natural beauty and that of Gedling Country Park.

4.2.3 Highway Safety

- The proposed development would increase traffic of the GAR which is designed to reduce traffic.

4.2.4 Principle of Development

- Industrial development is not right for the area with the country park so near. It would be more suited to brown field land in Netherfield next to the retail park.
- The application form describes the land as vacant grassland, however, Alkane Energy operate from part of the site with a long term lease.

4.2.5 Land Contamination / Flood Risk / Pollution

- The application states that the surface water drainage for the site would be to two lagoons. It is intended for the surface water drainage from the site to be via these lagoons. These lagoons are important wildlife habitats and it is requested that planning permission is not granted until an alternative drainage strategy is agreed to protect the ponds.
- All new surface water drainage should use the attenuation proposed for the GAR.
- Surface water drainage into the existing ponds would result in unacceptable pollution.
- Consideration should be given to alternative drainage within the applicant's site which is not to be developed to prevent surface water from the higher areas entering the lagoons.
- The proposed foul sewage pumping plant is outside of the application site and within the Country Park which is in the ownership of Gedling Borough Council. The installation of the proposed pumping station would cause noise disturbance.

4.2.6 Ecology

- The site accommodates Dingy Skipper Butterfly and this is a registered species of importance for conservation in England under section 41 of the NERC Act (2006). It is also listed as a species of conservation concern under Nottinghamshire's Local Biodiversity Action Plan (LBAP) a Priority Species in the UK Biodiversity Action Plan. The proposal should incorporate a butterfly bank as way of mitigation from the proposed development.
- Mitigation measures to deal with the destruction of vascular plant habitat should be sought. Translocation of habitats would be welcomed to ensure no loss of habitat as a result of the development.

4.2.7 Loss of Amenity

- The site will require street lighting and premises lighting (no details provided). The proposal would result in potential light pollution adversely affecting bats, insects, birds and other wildlife. A detailed lighting strategy should be sought.
- Gedling County Park is very popular and the paths along the western and eastern edges are well used. The following could be considered adverse impacts to the amenity of users of the park:
 - Noise pollution from the employment uses.
 - The loss of visual amenity unless the building heights are restricted.
 - The formation of a bank on the north boundary of the development raises stability concerns due to the steep slope above the development. The problem could be mitigated by stabilising the slope by planting a variety of native species and shrubs on the bank.

- The proposed public house and coffee shop could be used by visitors to the park. Concerns are raised about the increase in litter which should be mitigated by the installation of litter bins on the application site.

4.3 Consultation Responses Received from Technical Bodies

4.3.1 Nottinghamshire County Council (Highway Authority (HA))

The development proposal is located to the North East of the Proposed Gedling Access Road (GAR). Main construction in relation to this road is due to commence in summer 2019 with completion anticipated late 2020. The proposal cannot be occupied or utilised until it has a suitable access to the GAR and this will not be available until GAR is completed.

The Transport Assessment has been reviewed for the site and the HA have compared the forecast traffic generation in the TA for the Employment, PH and Drive Thru against the traffic assumptions made in the traffic modelling for the Gedling Access Road planning application. The GAR junction design calculations assumed that the Chase Farm development site was used entirely for a mix of B1/B2 and B8 uses only. The hour generations used for the GAR junction design exceed those now forecast for the planning application site. In this case we can advise that the roundabout junction of GAR with the employment site would operate satisfactorily and with significant amount of spare capacity in both the GAR opening (2020) and design years (15 years after opening).

A planning condition would be necessary on this application which restricts the use of any part of the application site (2017/1571) until the Gedling Access Road is built and open to traffic in its entirety.

Parking provision has been assessed based on the proposed uses and is considered acceptable for this development. Displacement of parking is not likely to occur as the GAR will have a clearways order which will prohibit parking in the vicinity of the proposed development.

Servicing to plots is acceptable from the proposed new access road and areas within the plots have been reserved for turning vehicles.

4.3.2 Nottinghamshire County Council (Travel and Transport)

The closest bus stops would be in excess of 550 metres from the centre of the site, not 400 metres as stated in the Planning Statement. The local bus service contribution requested would enable the development to be served by bus and for this site, situated on an incline, to be sustainable in planning terms. The level of contribution is derived from the Council's Local Bus Service Funding Model and would support provision of a local bus service to serve the site, with a view to the service being sustainable at the end of the funding term. A summary of the factors used for the model includes the following: size of site; number of projected trips/ridership; gross vehicle cost; local bus modal share; average fare / yield per trip; build out projections.

For this site the Planning Statement states that the scheme could result in the region of 133 – 203 direct jobs (dependent on the eventual end users), and

also refers to an estimated additional 21 public transport trips in the average peak hour. The funding requested is based upon a projected level of 62 daily two-way trips from all users of the development (124 trips per day).

Using the above assumptions gives a local bus service contribution of £100,000, which would provide a service to serve the development and for at least two years, subject to review, based on usage and revenue. No contingency or inflation is applied. The level of the bus service contribution would be reviewed using the Local Bus Service Funding Model should there be a significant change to the scope of the Outline application submitted for the proposed development / numbers of jobs.

In terms of the total contributions sought, the Transport and Travel Services response dated 19/1/18 refers to a Public Transport contribution of £100,000, and a separate request for a bus stop contribution via a Section 106 agreement for bus stop improvements to the value of £26,000 to provide two new bus stops in the vicinity of the site or to provide upgrades to the closest available bus stops. As such the combined funding contribution requested is £126,000.

4.3.3 Nottinghamshire County Council (Waste and Minerals)

4.3.3.1 *Minerals*

The site is not within a minerals safeguarding and consultation area.

The site incorporates the whole area of the operational Gedling Energy Park; a site generating electricity from coal mine methane drained from historic mine workings under NCC planning references 7/2010/1033NCC and 7/2013/1212NCC until 4th August 2021. Nottinghamshire County Council are considering a further two applications to vary conditions to extend the life of the development until 2037. The extraction of mine gas is supported in the Nottinghamshire Minerals Local Plan policy M13.5.

The applicant is encouraged to discuss with the operator of the Energy Park how the current application will relate to the current permitted use as a Methane Drainage Site. Clarification should be sought on how these two uses would operate together and how the safe drainage of methane could be achieved should this development be approved.

In the planning statement emphasis is on the principles of sustainable development and the transition to a low carbon economy, and if the Energy Park were to be removed then this would remove a purpose-built facility which specifically contributes to these aims and objectives.

4.3.3.2 *Waste*

There are no existing waste sites within the vicinity of the site where by the development would cause a safeguarding issue.

4.3.4 Nottinghamshire County Council (Arboricultural Officer)

The application shows very little in terms of explaining how existing trees and vegetation are to be retained and nor does it explain fully what the proposed landscaping will consist of post development.

4.3.4.1 Tree and Scrub Retention

It would be recommended that a tree constraints plan (TCP) is produced showing the proposed development and identifying trees, hedges and wooded areas which are to be retained and removed.

A tree protection plan should also be overlaid to graphically show root protection areas for retained trees and hedges including locations of tree protection barriers in accordance with BS 5837:2012

4.3.4.2 Replacement tree planting

It would be recommended that a landscape plan is provided to graphically show the level of landscaping and details of all tree planting species and specifications in accordance with BS 8545:2014 Trees: from nursery to independence in the landscape – Recommendations or as amended.

4.3.5 Nottinghamshire County Council (Ecology)

The application is supported by an Extended Phase 1 Habitat Survey, Bat Survey and Breeding Bird Survey.

The site sits within Gedling Colliery and Dismantled Railway Local Wildlife Site (LWS) (5/211), described as a ‘former colliery with a notable plant assemblage and of faunal interest’, the reasons for designation are listed as Botanical and Butterfly.

The site is correctly identified as supporting Open Mosaic Habitat on Previously Developed Land (OMH), which is a Habitat of Principle Importance in England (a ‘priority’ habitat) and its enhancement and protection is important. Of particular concern is the fact that the extent of the OMH habitat affected by the development has not been quantified, and no mitigation or compensation is proposed for its loss.

In summary, NCC objects to this application, and request that GBC defer a decision until the following matters have been addressed:

- The provision of further information in relation to the loss of Open Mosaic Habitat on Previously Developed Land, including mitigation and/or compensation measures and quantification of losses/gains using an ecological accounting approach.
- The undertaking of further surveys and/or assessment in relation to badger, common toad, grass snake and butterflies.
- A consideration of the combined impacts of this development when coupled with other adjacent developments (GAR and Keepmoat)
- The provision of more detailed mitigation and landscaping proposals in relation to dingy skipper.

4.3.6 Nottinghamshire County Council (Rights of Way)

No definitive paths are affected by the development.

4.3.7 Nottinghamshire County Council (Lead Local Flood Authority)

The information submitted is incomplete and does not allow for a detailed understanding of the applicants proposed methods of managing surface water.

4.3.8 Environment Agency

No objections subject to a condition for a remediation strategy to deal with the risks from contamination.

4.3.9 Severn Trent

No comments received.

4.3.10 Gedling Borough Council (Scientific Officer)

As it appears there is no desktop study / preliminary risk assessment has been submitted prior to, or with the planning application, it is requested phased contamination conditions are attached to any planning consent.

4.3.11 Gedling Borough Council (Parks and Street Care)

Parks and Street Care would welcome the transfer of Open Mosaic Habitat from the site to Gedling Country Park.

4.3.13 Gedling Borough Council (Economic Development)

The size of the development meets the thresholds for an Employment and Skills Strategy to be developed and implemented in accordance with the Construction Industry Training Board and the National Skills Academy for Construction's "Client Based Approach; Local Client Guidance for England" to be implemented during the term of the build to deliver employment and training activities – including work experience, jobs, apprenticeships and training.

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 other material considerations indicate otherwise'.

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

5.3 National Planning Policies

The following parts of the NPPF are of relevance to the principle of this application:

- Part 6 – Building a strong, competitive economy;
- Part 7 – Ensuring the vitality of town centres; and
- Part 15 – Conserving and Enhancing the Natural Environment.

5.4 Development Plan Policies

On the 10th September 2014 Gedling Borough Council adopted the Gedling Borough Aligned Core Strategy (GBACS) which now forms part of the

development plan. It is considered that the following GBACS policies are relevant: -

- ACS Policy 2 – The Spatial Strategy;
- ACS Policy 4 – Employment Provision and Economic Development;
- ACS Policy 6 – The Role of Town and Local Centres;
- ACS Policy 7 – Regeneration; and
- ACS Policy 10 – Design and Enhancing Local Identity.

5.5 Local Planning Document – Part 2 – Local Plan

In July 2018 Gedling Borough Council adopted the Local Planning Document Part 2. The following LPD policies are relevant to this application:

- Policy LPD4 – Surface Water;
- Policy LPD7 – Contaminated Land;
- Policy LPD10 – Pollution;
- Policy LPD11 – Air Quality;
- Policy LPD18 – Protecting and Enhancing Biodiversity;
- Policy LPD35 – Safe, Accessible and Inclusive Development;
- Policy LPD48 – Local Labour Agreements;
- Policy LPD 32 – Amenity;
- Policy LPD 43 – Retention of Employment Uses;
- Policy LPD 71 – Employment Allocations;

5.6 In considering this application, regard has been given to the above legislation and policy and as a result it has been determined that the main planning considerations in relation to this application are as follows: -

- Principle of Development
- Transport and Connectivity
- Masterplan and Design
- Water Resources, Flood Risk and Drainage
- Land Contamination
- Meeting the challenge of climate change
- Ecology
- The Impact on Neighbouring Amenity
- Heritage and Archaeology
- Other Material Considerations

6.0 Principle of Development

6.1 At the heart of the NPPF there is a presumption in favour of sustainable development with paragraph 80 stating significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and the wider opportunities for development.

6.2 ACS Policy 2 (clause 4) makes provision for significant new employment development at Gedling Colliery Chase Farm. ACS Policy 4 elaborates where clause 4 e) enables the promotion of significant new economic development as part of sustainable Urban Extensions at Gedling Colliery/Chase Farm. ACS Policy 4 does recognise the need to cater for the full range of employment uses. ACS Policy 7 clause e) identifies Gedling Colliery / Chase Farm as focus for regeneration.

- 6.3 Policy LPD 71 Employment Allocations allocates the application site for employment-led mixed use development. The supporting text states inter-alia: *10.3 'The land to the north of Gedling Access Road is allocated for 5 hectares of employment-led mixed use development. This is recognition that a wider range of employment uses is required to help facilitate the development of this former colliery through an element of "pump priming" as the site has remained undeveloped for a number of years. It also recognises that the site's location adjoining the newly opened Gedling Country Park presents new opportunities for visitor related facilities that could provide significant levels of employment. The types of employment led mixed uses that the Borough Council would consider acceptable include an element of food and drink, such as pub/diner and coffee shop or other facilities connected with the Country Park. It is considered that the amount of pump priming development can be determined through the detailed planning process taking into account site viability. The site would be developed predominantly for suitable business (B1), storage and distribution (B8) and general industry (B2) uses, subject to the latter being appropriate in this location (which may require the imposition of suitable conditions on any planning permission).'*
- 6.4 It goes on to state: *10.4 'The employment allocation will provide sustainable employment opportunities close to the new housing provision and also contribute towards meeting the overall employment requirements for Gedling Borough. This site will have direct access to the new road making the site highly accessible'.*
- 6.5 Given that the site falls within a site allocated for the employment uses proposed there are no limitations in place in respect of its redevelopment for a mixture of B1 c, B2, B8 and A4 and A5 uses as proposed. The A4 and A3 uses are a small proportion of the overall floor areas proposed. The principle of the redevelopment of the site is acceptable subject to the detailed consideration of the following matters.

7.0 Transport and Connectivity

- 7.1 I note the comments from the Highway Authority which raise no objections to the proposed development subject to conditions relating to the submission of a Travel Plan and surfacing of the parking and turning areas.
- 7.2 I concur with the comments received and consider that the development would be acceptable in terms of highway safety and appropriate car parking provision.
- 7.3 I note that details relating to the access are being sought for detailed approval and the Highway Authority has not objected to the detailed plans. I am satisfied that the details of access are acceptable in this instance.
- 7.3 I note the comments from Strategic Highways in relation to the bus stop and redirected bus routes. In my view given the location of the development away from main town centres and good public transport linkages the contributions to support direct bus links to the employment site are reasonable in this instance to support the development. Contributions would be sought that are

proportionate to the development under the current NCC obligations strategy (detailed in section 14).

8.0 Masterplan and Design

- 8.1 Policy 10 of the Aligned Core Strategy requires all new development to be designed to make a positive contribution to the public realm and sense of place; create an attractive, safe, inclusive and healthy environment; reinforce valued characteristics; be adaptable to meet evolving demands and the effects of climate change; and reflect the need to reduce the dominance of motor vehicles.
- 8.2 Part 12 of the NPPF states that planning decisions should aim to ensure that developments will function well and add to the overall quality of the area; respond to local character and history; and is visually attractive as a result of good architecture and appropriate landscaping.
- 8.3 The proposed development would be located to the north of the proposed Gedling Access Road a major piece of infrastructure to support the growth in the Borough. The north of the proposal is currently Gedling Country Park that rises in level steeply to the north.
- 8.4 Matters relating to Appearance, Landscaping, Layout, and Scale, are being reserved for subsequent approval. This application has been submitted with Access being considered in detail at this outline stage.
- 8.5 Whilst only indicative a layout has been submitted in support of this application that indicates that a development of 5 employment plots with the floor areas indicatively proposed can be accommodated on the site without appearing over intensive. The layout illustrates that front facing development can be achieved adjacent to the proposed Gedling Access Road. The submitted planning statement also indicates that the development would create building fronts with areas of soft landscaping including trees and hedgerows. The layout plan illustrates how the deliveries and back of house functions of the employment uses could be serviced from the centre of the site rather than the edges looking towards Gedling Country Park. It also indicates that established trees and hedgerows to the site boundaries could be retained.
- 8.6 Overall, given the sites employment allocation, it is considered that an imaginative design can be achieved that reflects the developments context to the existing Country Park and the Gedling Access Road. I am content that an appropriate design can be achieved at reserved matters stage, using the illustrative layout as a guide, which would closely relate to existing features on the site and the surrounding area. I am therefore satisfied that the application accords with the broad aims of the NPPF, Policy 10 of the ACS, and LPD35.

9.0 Water Resources, Flood Risk and Drainage

- 9.1 Policy LPD4 – Surface Water Management requires all development proposals to include measures to pro-actively manage surface water including the use of appropriate surface treatments and Sustainable Drainage Systems

in order to minimise the risk of flooding on the development site without increasing flood risk elsewhere.

- 9.2 I note the application site is located within Flood Zone 1 and is therefore considered to have a low level risk of fluvial flooding.
- 9.3 I note the comments from the EA with regards to the control of contaminated waters and should permission be forthcoming the suggested conditions would be attached to any approval.
- 9.4 I note the comments from the LLFA with regards to the submission of a Surface Water Drainage Scheme, however, as this is an outline planning application with matters relating to landscaping and layout being reserved for future consideration I am satisfied that an appropriate surface water drainage scheme can be sought via a condition which may be discharged once the layout and landscaping proposals have been progressed.
- 9.5 Subject to the precise details being approved at reserved matters stage I am satisfied that the development accords with LPD4.

10.0 Land Contamination and Health and Safety

- 10.1 The relevant planning policies which need to be considered in relation to land contamination and pollution are set out in Section 15 of the NPPF and LPD7, LPD10 and LPD11.
- 10.2 Section 15 of the NPPF as reinforced by local policy which requires development to contribute to and enhance the natural and local environment by preventing new development from contributing to or being put at unacceptable risk from levels of soil, air, water or noise pollution.
- 10.3 I note that Gedling Borough Public Protection have no objections in principle to the proposed development, but recommends the imposition of appropriate conditions to ensure that contamination is monitored and mitigated against. Subject to conditions it is my opinion, therefore, that the proposed development would accord with Section 15 of the NPPF and Policies LPD7 and LPD10.
- 10.4 I note the comments received from the operator of Alkane Energy, whom state they operate from the site on a long term lease, and the potential for a conflict of interest between the competing uses. However, should the development go ahead, whether the current operator would have to vacate the site would be a private legal matter between the land owner and the operator of Alkane Energy and would not be material planning consideration that would carry enough weight to warrant the refusal of this application.

11.0 Meeting the challenge of climate change

- 11.1 Part 14 of the NPPF states that planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated

infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.

- 11.2 I note that, following correspondence with the Scientific Officer it was recommended that that scheme should incorporate provision for an EV (electrical vehicle) charging point. Should planning permission be forthcoming an informative would be attached to encourage any future developer to address the need of meeting climate change by providing sustainable transport options for employees in line with the requirements of Paragraph 93 of the NPPF. There is currently no LPD Policy that would support the requirement to provide EV charging points.

12.0 Ecology

- 12.1 The relevant planning policies that need to be considered in relation to ecological matters are set out in Section 15 of the NPPF, Policy 17 of the ACS and LPD18.
- 12.2 I also note the subtext of LPD 72 specific to this employment allocation which states at paragraph 10.5 *'A Local Wildlife Site is located on the employment land but the need for employment and the aim of supporting regeneration by providing jobs on the Gedling Colliery/Chase Farm site are, on balance, considered to outweigh any adverse impact on the Local Wildlife Site. This position is subject to mitigation and the scope to compensate any loss through translocation of habitat to the adjoining Gedling Country Park.'*
- 12.3 I note the comments from NCC ecology who object to the proposal due to the lack of information and suitable mitigation and compensation. I also note that the whole of the application site was considered during the process of preparing the LPD and it has already been considered that the loss of the LWS is outweighed by the need for employment. I also note the comments received with regards to inappropriate lighting impacting on wildlife.
- 12.4 Policy LPD18 (Protecting and Enhancing Biodiversity) sets out that development proposals affecting designated sites and priority habitats and species should only be permitted if there is no significant harm to the biodiversity of the site. Any harm should be avoided, and where this is not possible the impacts should be mitigated. The policy goes on to state that lastly, residual impacts should be compensated. As the application is outline with all matters relating to layout and landscaping reserved for later approval I consider that matters raised by NCC ecology can be addressed with the suitable studies and reports and a detailed landscaping scheme being sought by planning condition.
- 12.5 I note the comments with regard to the 'Open Mosaic Habitat' (OMH) that is present on the site and the potential for this to be lost as a result of the development. I also note that LPD72 states that any loss should be compensated through the translocation of habitat to the adjoining Gedling Country Park. The translocation of OMH to Gedling Country Park is supported by Parks and Street Care. It is my opinion that should the results of the updated ecology/biodiversity reports and approved landscaping plans (sought through reserved matters) give rise to the requirement to compensate and

translocate OMH this can be secured by way of s106 obligation between Gedling Borough Council (Landowner of the Country Park) and the Developer.

13.0 The Impact on Neighbouring Amenities

- 13.1 Given the substantial distances to the nearest neighbouring properties, the location of the Gedling Access Road inbetween the development and the Chase Farm housing development I consider there to be no undue impact on residential amenity arising from this development.
- 13.2 The nearest buildings that could be affected are those on the new housing development at Chase Farm. In my view the impacts of the construction activities could be managed through a Construction Environmental Management Plan (CEMP) which would ensure that working hours, traffic management, control of pollution, waste management, noise, dust and vibration are all managed and controlled to acceptable standards. The CEMP and the requirements it needs to cover would be secured through condition.

14.0 Planning Obligations

14.1 Travel and Transport Contributions

A contribution through s106 would be sought towards Public Transport (£100,000) to provide a service to serve the development for at least 2 years.

A contribution towards bus stop improvements of £26,000 would be sought.

14.2 Economic

I note the comments from the economic development officer, the size of the site and the numbers of dwellings to be built meet the Council's thresholds to implement the Construction Industry Training Board (CITB) to create work and opportunities during the term of the build. Should planning permission be forthcoming CITB would form part of the s106.

14.3 Open Space and Ecology Mitigation

Given that the development would result in an access roads, car parking, loading areas and incidental landscaped open space (to compensate the loss of habitat), should planning permission be forthcoming details of a Management Company responsible for the upkeep of the non-adopted areas and the open space would be sought via Section 106 Agreement to retain acceptable surfacing and biodiversity mitigation associated with the development.

An obligation between Gedling Borough Council and the Landowner would be sought to address the translocation of any identified Open Mosaic Habitat to Gedling Country Park.

14.4 Community Infrastructure Levy (CIL)

The application is CIL liable. The CIL would only apply to the elements that are identified for A3 and A4 uses. A borough-wide charge of £64.69sqm currently applies to retail floorspace of over 100sqm. A zero charge applies for employment uses at this time. The actual amount of CIL payable would be

calculated when a decision is made on the subsequent reserved matters application.

15.0 Other Material Considerations

- 15.1 I note the comments with regards to the steep bank proposed on the north boundary of the site and the potential for its stabilising using native plants. I concur with this view and any detailed landscaping and ecology mitigation would be sought as part of any reserved matters application could address this issue.
- 15.2 I note that the development is reliant on the completion of the Gedling Access Road and therefore consider that extending the time limit in which to the applicant can submit the reserved matters to five years rather than three years from the date of the permission would be reasonable in this instance.

16.0 Conclusion

- 16.1 The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014) and the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014), and the Local Plan Part 2 where appropriate.
- 16.2 In my opinion, the proposed development largely accords with the relevant policies of these frameworks and plans. Where the development conflicts with the Development Plan, it is my opinion that other material considerations indicate that permission should be granted. The benefits of granting the proposal outweigh any adverse impact of departing from the Development Plan.
- 16.3 Planning obligations are being sought in accordance with the requirements of the NPPF.

- 17.0 Recommendation: That the Borough Council GRANTS OUTLINE PLANNING PERMISSION with matters relating to Appearance, Landscaping, Scale, and Layout reserved for subsequent approval; subject to the applicant entering into a Section 106 Agreement with the Borough Council as local planning authority and with the County Council as local highway authority for the provision of, or financial contributions towards a Management Company, Integrated Transport Facilities, Translocation of Habitat and a Local Employment Agreement (in accordance with Section 14.0 of the report), and subject to the following conditions:**

Conditions

- 1 Approval of the details of Appearance, Landscaping, Layout and Scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority before the commencement of any development.
- 2 Application for the approval of reserved matters must be made not later than five years from the date of the outline permission and the development to

which this permission relates must be begun within two years from the date of final approval of reserved matters.

- 3 The submission of all reserved matters and the implementation of the development shall be carried out in accordance with the plans and documents received on the 22nd December 2017: -; Extended Phase 1 Habitat Survey; Bat Survey Report; Breeding Bird Surveys; Design and Access Statement (P17-1794_200); Drainage Strategy (P15-157 - 202A); Planning Statement (Dec 2017 - SLR/ST - P17-1794); Overall Proposed Site Plan (14005-102); Overall Proposed Site Plan (14005-103); Existing Location Plan (14005-100); Existing Location Plan (14005-101); Framework Travel Plan (ADC1616-B); Indicative Zoning Plan (14005-105); and Indicative Design Site Section (14005-104) and Amended Application Forms received on 11th June 2019.
- 4 No part of the development hereby permitted shall be occupied until a Full Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes which are acceptable to the local planning authority and shall include arrangements for monitoring of progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in that plan.
- 5 No part of the development hereby permitted shall be brought into use until all drives and any parking or turning areas are surfaced in a hard bound material (not loose gravel). The surfaced drives and any parking areas shall then be maintained in such hard bound material for the life of the development.
- 6 No part of the development hereby permitted shall be brought into use until the Gedling Access Road is built and open to traffic in its entirety.
- 7 No development shall take place until a Construction Environmental Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: (i) the parking of vehicles of site operatives and visitors; (ii) loading and unloading of plant and materials; (iii) storage of plant and materials used in constructing the development; (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; (v) wheel washing facilities; (vi) measures to control the emission of dust and dirt during construction; (vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- 8 Before development is commenced there shall be submitted to and approved in writing by the Borough Council, details of a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The surface water drainage scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall be retained for the lifetime of the development.
- 9 Before development is commenced there shall be submitted into and approved in writing by the Local Planning Authority, (1) A tree / hedge

protection plan to graphically show the locations of any tree / hedge and root protection barriers. A tree protection plan should be overlaid to graphically show root protection areas in accordance with BS 5837:2012; (2) Arboricultural impact assessment identifying what impacts might arise from the proposed works; (3) Arboricultural Method Statement (AMS). The AMS provides guidance as to how works might be mitigated or compensated for; (4) Details of any special engineering works and surfacing required near trees / hedges. The approved measures of protection shall be implemented in accordance with the approved details for the duration of the construction period.

- 10 Before development is commenced, there shall be submitted to and approved in writing by the Local Planning Authority a Desktop Study for Existing Ecological Information, to include: (1) Consultation with the Nottinghamshire Biological and Geological Records Centre (NBGRC); (2) An Extended phase 1 Habitat Survey; (3) Details of avoidance, mitigation and compensation measures, and opportunities for enhancements (4) Further surveys and/or assessment in relation to badger, common toad, grass snake and butterflies, and (5) Further information in relation to the loss of Open Mosaic Habitat, including mitigation and/or compensation measures and quantification of losses/gains using an ecological accounting approach. The development shall be implemented strictly in accordance with the approved details.
- 11 The detailed plans and particulars to be submitted as reserved matters in relation to landscaping shall include: (a) details of the size, species, positions and density of all trees and shrubs to be planted (in accordance with BS 8545:2014 Trees: from nursery to independence in the landscape), which shall consist of native species, ideally of local provenance, where possible; (b) details of the boundary treatments, including those to individual plot boundaries; (c) the proposed means of surfacing access roads, car parking areas, roadways and the frontages of properties (d) details of the mitigation and compensation for the loss of Open Mosaic Habitat (e) details of the mitigation and landscaping proposals in relation to dingy skipper (butterflies) and (f) a programme of implementation. The development shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development.
- 12 If within a period of five years beginning with the date of the planting of any tree or shrub, approved as reserved matters in relation to landscaping, that tree or shrub, or any tree or shrub that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Local Planning Authority seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.
- 13 The detailed plans and particulars to be submitted as reserved matters in relation to scale shall include details of existing and proposed site levels in relation to adjacent properties. The development shall be implemented in accordance with the approved details.
- 14 The detailed plans and particulars to be submitted as reserved matters in relation to appearance shall include details of the materials to be used in the

external elevations and roofs of the proposed buildings. The development shall be carried out in accordance with the approved details, which shall be retained for the lifetime of the development.

- 15 Unless otherwise agreed by the Local Planning Authority, development must not commence until the following has been complied with: Site Characterisation: An assessment of the nature and extent of any potential contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include; a survey of the extent, scale and nature of contamination and; an assessment of the potential risks to: human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments. Submission of Remediation Scheme: Where required, a detailed remediation scheme (to bring the 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.
- 16 In the event that remediation identified in the Remediation Scheme 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.
- 17 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. Prior to the first occupation of the development 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.

Reasons

- 1 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990. The application is expressed to be in outline only in accordance with Article 5 of the Town and Country Planning (Development Management Procedure)(England) Order 2015.
- 2 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
- 3 For the avoidance of doubt.

- 4 To promote sustainable travel.
- 5 In the interest of Highway safety.
- 6 There is no alternative access from the highway.
- 7 To protect the residential amenity of the area in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 8 To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures, in accordance with the National Planning Policy Framework and Policies 1 and 17 of the Aligned Core Strategy Submission Documents.
- 9 To minimise any potential impacts on biodiversity and the landscape in accordance with Section 11 of the National Planning Policy Framework, Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy LPD18 (July 2018).
- 10 To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework, Policy 17 of the Aligned Core Strategy for Gedling (September 2014) and Policy LPD18.
- 11 To ensure that the landscaping of the proposed development accords with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 12 To ensure that the landscaping of the proposed development accords with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 13 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 14 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 15 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of LPD7 and LPD10.
- 16 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of LPD7 and LPD10.
- 17 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of LPD7.

Reasons for Decision

The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014) and the Local Planning Document 2017, where appropriate. In the opinion of the Borough Council, the proposed development largely accords with the relevant policies of these frameworks and plans. Where the development conflicts with the Development Plan, it is the opinion of the Borough Council that other material considerations indicate that permission should be granted.

Notes to Applicant

The detailed surface water drainage scheme to be submitted shall: - require all flows to be attenuated to Qbar for the entire site;- include provision for the entire site to be drained to the surface water drainage system with appropriate run-off coefficients or other factors used to represent the differing run off characteristics of the various parts of the site;- include an exceedance check using microdrainage software to simulate the drainage system for the 100year + 30% climate change event for a range of durations from 15 minutes to 24 hours to assess where the drainage system may flood. If this occurs, provision must be made for the accumulated volumes and flows to be directed to the surface water attenuation areas; - demonstrate that the surface water drainage system is designed in accordance with CIRIA C635 and C753, and the National SUDS Standards;- demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and 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 plus climate change return periods;- confirm how on-site surface water drainage systems will be adopted and maintained in perpetuity to ensure long term operation at the designed parameters.

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

Your attention is drawn to an informal planning guidance document which has been produced to try and define what sustainable development means in the context of air quality, and how to decrease levels by incorporating mitigation measures into scheme design as standard. (see:

<http://gedling.gov.uk/planningbuildingcontrol/planningpolicy/emerginglocalplan/supplementaryplanningdocuments/>). It is therefore requested commitment to incorporate provision for an EV (electrical vehicle) charging point per dwelling; to allow future residents to charge electrical/hybrid vehicles into the future. Reference can be made to guidance produced by IET 'Code of Practice for EV Charging Equipment Installation' for details of charging points and plugs specifications.

No removal of hedgerows, trees or shrubs shall take place on site during the bird nesting season (1st March to 31st August inclusive in any given year), unless pre-

commencement checks for nesting birds have been undertaken by an appropriately qualified ecologist and the outcome reported to the Borough Council.

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.

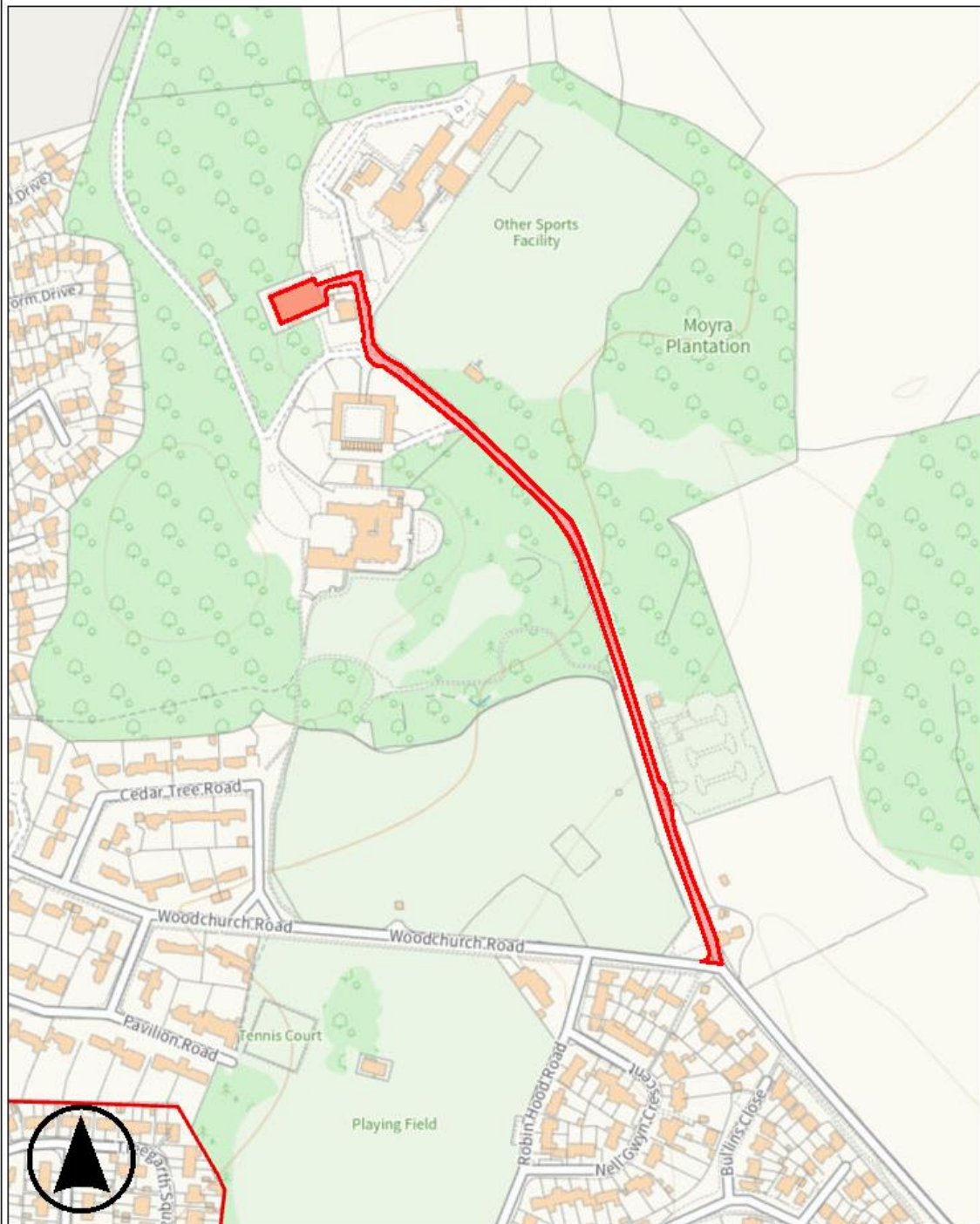
Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018). Negotiations have taken place during the determination of the application to address adverse impacts identified by officers. 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 applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved. The actual amount of CIL payable will be calculated when a decision is made on the subsequent reserved matters application.



Planning Report for 2026/0327

Planning Reference: **2026/0327 Notts Fire And Rescue Service Headquarters,
Bestwood Lodge Drive, Bestwood**
Scale: 1:3,307



NOTE This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site.
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Beating People Improving Lives

Date: 06/07/2026

Report to Planning Committee

Application Number: 2026/0327

Location: Nottinghamshire Fire and Rescue Headquarters,
Bestwood Lodge Drive, Bestwood, Nottinghamshire.

Proposal: Solar Canopies

Applicant: Delamere Health Ltd

Agent: Anderson Orr

Case Officer: Claire Turton

The application is referred to Planning Committee in accordance with Section 10 of the Council's Constitution because part of the site defined by the red line on the site location plan (the access road) is within the ownership of Gedling Borough Council. Section 10 requires that planning applications involving land within the ownership of the Council are determined by Planning Committee rather than under delegated powers.

1.0 Site Description

- 1.1 The site was previously occupied by the Nottinghamshire Fire and Rescue Service as their regional headquarters, until 2022. Planning permission has been granted at the site for;

"Full planning application to demolish existing buildings and develop a new private residential therapy and treatment centre, together with associated infrastructure and landscaping."

Works have started on the above development in terms of demolition and initial groundworks. At the time of writing this report, the majority of buildings on the site have been demolished and erection of the new building is due but has not commenced.

- 1.2 To the west of the site is the Bestwood Country Park, parts of which are defined in the Gedling Local Plan as Protected Open Space and a Local Wildlife Site. To the north of the site are large, residential properties in large plots of land. To the south of the site lies the Bestwood former stable block, which is now converted into residential properties and Bestwood Lodge Hotel. The land to the south-east of the site is also within control of the applicant but does not form part of the application site. This is an area of private open space that was previously used as sports pitch by the Fire HQ but is currently not marked out.
- 1.3 The site itself comprises a plateau which sits at a higher level to the former playing fields that lie to the south-east.

- 1.4 There are a number of designated and non-designated heritage assets in the vicinity of the site including:-

Bestwood Lodge Hotel and Terrace Wall, Grade II*

Bakery North of Bestwood Lodge Hotel, Grade II

Stable Court, Grade II

Garden Walls and Gateway at Bestwood Lodge Hotel, Grade II

The Old Lodge, Grade II

Non-Designated Heritage Asset (NDHA) of the historic gardens to Bestwood Lodge, landscaped by Teulon and Thomas Church

NDHA Medieval hunting Park of Bestwood Park

- 1.5 The site is accessed from Bestwood Lodge Drive which connects to Queens Bower Road over a distance of approximately 1.5km. The section of Bestwood Lodge Drive between the application site and Woodchurch Road is privately maintained. The private access road currently provides access to the site itself, Bestwood Lodge Hotel, Bestwood Country Park and several other residential properties.
- 1.6 The site is located within the Green Belt and Flood Zone 1 (Low Risk of fluvial Flooding).
- 1.7 There are a large number of mature trees screening the western, northern and eastern boundaries. Trees to the north and west of the site are protected by a Woodland Tree Preservation Order (TPO).

2.0 Proposed Development

- 2.1 Planning permission is sought for 2 no. solar canopies over an area of the site approved for car parking.
- 2.2 One of the solar canopies is 25 metres in length by 6 metres in width and the other is 10.5 metres in length by 6 metres in width. The solar canopies have a mono pitched roof measuring between 3.3 and 4 metres in height. The solar canopies are open-sided allowing for cars to park underneath them.
- 2.3 The solar canopies would be constructed from Powder Coated Aluminium.
- 2.4 The solar canopies will provide renewable electricity to the principal building on site (the therapy clinic).

3.0 Relevant Planning History

- 3.1 2025/0702 Planning permission was granted in January 2026 for “*Demolish existing buildings and develop a new private residential therapy and treatment centre, together with associated infrastructure and landscaping. (Variation of Conditions 21, 22 and 26 of planning permission 2024/0708 to enable alterations to ground levels under trees T32, T33 and T34 to facilitate the required gradient for the access drive and to remove tree T73 and Hedgerow H18 to allow the building of a previously approved retaining wall).*”

- 3.2 All pre-commencement conditions for the above planning permission have been discharged through various discharge of condition applications.
- 3.3 2025/0701 Planning permission was granted in November 2025 for “*Full planning application for the replacement of an ancillary building with a smaller ancillary building, cycle store and car park.*” It is over this car park that the solar canopies are now proposed. The approved smaller ancillary building has also been approved with solar panels on its roof.

4.0 Consultations

- 4.1 Parish Council;- No comments received.
- 4.2 Nottinghamshire County Council Highway Officer;- State no objection.
- 4.3 Gedling Borough Council Ecology Officer;- No objection. States that considering that the planned works are to take place entirely on hard standing and the nature of the planned works, she is satisfied that ecology surveys would not be proportionate for this application. However, advises that an informative be attached to the grant of any planning permission regarding reasonable avoidance measures for ecology. This specific application is exempt from Biodiversity Net Gain (BNG) as the impacted habitat is below 25sqm.
- 4.4 Gedling Borough Council Conservation Officer;- *“The proposal is to provide a significant number of solar panels for the production of renewable energy for the site, to be sited as solar canopies in the overflow parking area. While there is no supporting statement with the application it is understood that this location is considered by the Developer to be preferable to placing solar panels on the main new-build structure. The approved application for the ancillary outbuilding in this parking area also shows solar panels on the roof, allowing all the solar panels to be grouped in this area.*

Given that there is a benefit from the scheme providing renewable energy, looking over the details of this application, and with knowledge of the wider site and wider redevelopment scheme, it is felt that that placing solar panels in this car park area would indeed be preferable to placing them on the main structure.

It is recognised that the overflow carpark location is physically closer to the listed buildings, but the taller overall height of the main new build structure, its bespoke design and its open frontage from the south, means solar panels on the main building are likely to be more visually more intrusive than in this proposed location. This is important not just to the design of the main building, but also important given the significance of the wider landscape setting to the appreciation and understanding of the former Country House at Bestwood Lodge Hotel (Grade II). Further, given the (until recently) large outbuilding in the overflow car park area, the more ancillary nature of this part of the site, and the tree cover around it, it is felt that the proposed submission is preferable in heritage terms than at other potential locations elsewhere at the site.*

Given the largely enclosed nature of the carpark in tree cover, the relatively low height of the solar canopies, and the integral nature of the panels to the roof of these canopies, the proposed solar canopies will be visually discrete and are

not felt likely not to harm the setting of the Grade II Listed Bestwood Lodge Hotel or associated Grade II listed outbuildings, including the Stable Court and Lodge. The altered nature of this part of the site, combined with the tree cover, means there is also not felt to be any harm to the special significance of the historic grounds and parkland around these assets, which while not a designated Registered Park and Garden could be regarded as a Non-Designated Heritage Asset in its own right.”*

- 4.5 GBC Scientific Officer:- No objection. In line with the main planning permission for the site, it would be prudent for the developer to have a contingency plan in place should development reveal any contamination and request a condition to this effect.

- 4.6 GBC Arboricultural Officer:- *“From an arboricultural perspective, the proposal raises no objection in principle.*

The works are confined to an existing hardstanding area within the wider redevelopment site, where tree protection measures are already in place and governed by an approved Tree Protection Plan and Arboricultural Method Statement. Given this, and the fact that the development sits within a managed construction environment, there is no requirement to duplicate baseline tree protection controls.

The canopy structures are supported on discrete foundations, meaning any potential impact on rooting areas will be localised and can be managed through adherence to the existing approved Arboricultural Method Statement.

My only reservation relates to the relationship between the canopies and nearby retained trees over the longer term. Given the surrounding tree cover, there is potential for shading of the solar panels, which in turn could lead to future pressure for pruning works to improve panel efficiency. This would be inappropriate where it conflicts with the amenity and retention objectives of the approved landscaping scheme.

On that basis, I would advise that any consent makes it clear that the presence of the solar canopies does not justify future pruning of retained trees beyond good arboricultural management, and that no works to trees should be undertaken that would harm their health, structure or amenity in order to improve solar gain.

Subject to that clarification, I am satisfied the proposal is acceptable in arboricultural terms.”

- 4.7 Historic England:- State no comments but to seek the advice of the Council’s Conservation Officer.

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- 4.8 Neighbouring properties were consulted via letter, a site notice was placed at the site and a notice published in the local press. No comments have been received.

5.0 Relevant Planning Policy

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that: 'if regard is 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 National Planning Policy Framework (NPPF) (2024) and the National Planning Practice Guidance (NPPG) are both material considerations in the determination of this application. The NPPF sets out the national objectives for delivering sustainable development. Sections 2 (Achieving Sustainable Development), 4 (Decision Making), 6 (Building a Strong , Competitive Economy), 8 (Promoting healthy and safe communities), 11 (Making effective use of land), 12 (Achieving well-designed places), 13 (Protecting Green Belt land), 14 (Meeting the challenge of climate change, flooding and coastal change), 15 (Conserving and enhancing the natural environment), 16 (Conserving and enhancing the historic environment) are particularly relevant in this instance.
- 5.3 The Environment Act (2021) – Biodiversity Net Gain. In England, BNG is mandatory from 12 February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Developers must deliver a BNG of 10%. This means a development will result in more or better-quality natural habitat than there was before development.
- 5.4 Planning (Listed Buildings and Conservation Areas) Act 1990. S.66(1) states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 5.4 The Gedling Borough Council Aligned Core Strategy (GBACS) (September 2014) is part of the development plan for the area. The following policies are relevant in considering this application:
- Policy A (Presumption in Favour of Sustainable Development) sets out that a positive approach will be taken when considering development proposals.
 - Policy 1 (Climate Change) states that all development proposals will be expected to mitigate against and adapt to climate change, to comply with national and contribute to local targets on reducing carbon emissions and energy. It continues to state that developments should maximise use of renewable energy generation systems.
 - Policy 3 (The Green Belt) refers to Green Belt boundaries.
 - Policy 4 (Employment Provision and Economic Development) the economy of the area will be strengthened and diversified.
 - Policy 10 (Design and Enhancing Local Identity) sets out that “development will be assessed in terms of its ‘massing, sale and proportion; materials,

architectural style and detailing and impact on the amenity of nearby residents and occupiers’.”

- Policy 11 (The Historic Environment) Proposals and initiatives will be supported where the historic environment and heritage assets and their settings are conserved and/or enhanced in line with their interest and significance.
- Policy 12 (Local Services and Healthy Lifestyles) New community facilities will be supported where they meet a local need.
- Policy 17 (Biodiversity) sets out how the biodiversity will be increased over the plan period.
- Policy 18 (Infrastructure) New development must be supported by the required infrastructure at the appropriate stage.

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

- Policy LPD 2 (Other Renewable Energy Schemes) states that proposals for renewable energy schemes will be granted planning permission where they are acceptable in terms of:-
 - a. Green Belt;
 - b. landscape and visual effects;
 - c. ecology and biodiversity;
 - d. the historic environment;
 - e. open space and other recreational uses;
 - f. amenity of nearby properties;
 - g. grid connection;
 - h. form and siting;
 - i. mitigation;
 - j. the decommissioning and reinstatement of land at the end of the operational life of the development;
 - k. cumulative impact with existing and proposed development;
 - l. emissions to ground, water courses and/or air;
 - m. odour;
 - n. vehicular access and traffic; and
 - o. proximity of generating plants to the renewable energy source.
- Policy LPD 4 (Surface Water Management) all development proposals should, wherever possible, include measures to pro-actively manage surface water including the use of appropriate surface treatments and Sustainable Drainage Systems in order to minimise the risk of flooding on the development site without increasing flood risk elsewhere.
- Policy LPD 7 (Contaminated Land) Planning permission will be granted for development on land potentially affected by land contamination provided effective and sustainable measures are taken to assess, treat, contain or control the contamination.

- Policy LPD 11 (Air Quality) Planning permission will not be granted for development proposals that have the potential to adversely impact on air quality, unless measures to mitigate or offset their emissions and impacts have been incorporated
- Policy LPD 18 (Protecting and Enhancing Biodiversity) development proposals will be expected to take opportunities to incorporate biodiversity in and around development and contribute to the establishment and maintenance of green infrastructure.
- Policy LPD 19 (Landscape Character and Visual Impact). Where practicable the recommendations of the Greater Nottingham Landscape Character Assessment will be required. The proposal site is in zone S PZ 41 Bestwood Wooded Farmlands.
- Policy LPD 26 (Heritage Assets). All development proposals that may affect any designated or non-designated heritage asset will be required to provide a heritage impact assessment of the significance of the heritage asset and identify the impact of the proposals on the special character of the asset and / or its setting.
- Policy LPD 27 – (Listed Buildings) Alterations, extensions and development to or within the setting of a Listed Building should consider scale, form, mass, design, siting, detailing and materials.
- Policy LPD 32 (Amenity) requires that development proposals do not have a significant adverse impact on the amenity of nearby residents or occupiers, taking into account potential mitigation measures.”
- Policy LPD 35 (Safe Accessible and Inclusive Development) sets out that the massing, scale and proportion of development should be appropriate to the immediate context, site constraints, character of adjoining streets and spaces and the sites the location within the townscape.
- Policy LPD 57 (Parking Standards) provides that permission for residential development will be granted where the development proposal meets the Council’s requirement for parking provision, or otherwise agreed by the local planning authority.
- Policy LPD 61 (Highway Safety) sets out that permission will be granted for development proposals which do not have a detrimental effect on highway safety, patterns of movement and the access needs of all people.

5.6 Supplementary Planning Documents/Guidance

- Parking Provision for Residential and Non-Residential Development SPD (2022) sets out the parking provision requirements for new developments.
- Low Carbon Planning Guidance for Gedling Borough (2021) sets out sustainability guidance.
- Biodiversity Net Gain Interim Planning Policy Statement January 2024
- Greater Nottingham Landscape Character Assessment

Appraisal

Green Belt

6.0 Paragraph 143 of the NPPF states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 143 goes on to state the five purposes of Green Belt:

- 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.

6.1 Paragraph 153 of the NPPF states that;-

“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”

6.2 Paragraph 154 of the NPPF then lists certain types of development that is not inappropriate in the Green Belt. The previous planning application at the site (for the residential therapy and treatment centre) was considered to comply with one of the criteria set out in paragraph 154. This was paragraph 154(g) which allows for;-

“redevelopment of previously developed land..., which would not cause substantial harm to the openness of the Green Belt.”

The previous application was not considered to cause substantial harm to the openness of the Green Belt as the built form proposed was less than the built form that was on-site (but proposed to be demolished) when the planning application was approved. This was in terms of floorspace, footprint and volume.

6.3 It is therefore important to note that planning permission has already been granted for the comprehensive redevelopment of the site, including the provision of a car park within which the solar canopies are now proposed. The current application therefore relates to a minor addition to an already approved development.

6.4 The proposed solar canopies are open-sided in design. However, they have metal columns and a roof covering and, as such, they are considered to have their own footprint and volume. The already approved residential therapy and treatment centre along with the now proposed solar canopies would still

constitute less volume and footprint than the previous Fire HQ building. However, as the previous Fire HQ building has now been demolished, its footprint and volume cannot be taken into account when assessing this current planning application. For these reasons, it is concluded that the proposal does not comply with paragraph 154g of the NPPF. The proposal also does not comply with any of the other exceptions set out in paragraph 154 of the NPPF.

- 6.5 In terms of harm to the Green Belt from the proposed solar canopies. As stated previously in this report, paragraph 153 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt. As such, it has to be concluded that the proposal causes definitional harm to the Green Belt. In terms of harm to the openness of the Green Belt caused by the proposed development, there is considered to be some harm but this is considered to be negligible, especially when taking into account the scheme already approved at the site. This is because the solar canopies are limited in scale, open-sided and located in an area already approved for use as a car park.
- 6.6 Having regard to the above, the proposal is considered to be inappropriate development within the Green Belt causing definitional harm to the Green Belt and negligible harm to the openness of the Green Belt. Therefore, there is a need to consider whether or not very special circumstances exist to allow planning permission to be granted, which is covered later in this report at Section 12.

Design and Heritage

- 7.0 As set out in paragraph 1.4 of this report, there are a number of designated heritage assets close to the site. As such, the Council's Conservation Officer has been consulted on the application. She has raised no objection to the proposal and has commented that placing solar panels in this car park area is preferable to placing them on the main structure (the approved residential therapy and treatment centre). She has stated that this is because:-

"It is recognised that the overflow carpark location is physically closer to the listed buildings, but the taller overall height of the main new build structure, its bespoke design and its open frontage from the south, means solar panels on the main building are likely to be more visually more intrusive than in this proposed location. This is important not just to the design of the main building, but also important given the significance of the wider landscape setting to the appreciation and understanding of the former Country House at Bestwood Lodge Hotel (Grade II). Further, given the (until recently) large outbuilding in the overflow car park area, the more ancillary nature of this part of the site, and the tree cover around it, it is felt that the proposed submission is preferable in heritage terms than at other potential locations elsewhere at the site."*

- 7.1 She then continues to state that placing solar canopies in the area proposed will not harm the setting of the nearby heritage assets:-

"Given the largely enclosed nature of the carpark in tree cover, the relatively low height of the solar canopies, and the integral nature of the panels to the roof of these canopies, the proposed solar canopies will be visually discrete and are not felt likely not to harm the setting of the Grade II Listed Bestwood Lodge*

Hotel or associated Grade II listed outbuildings, including the Stable Court and Lodge. The altered nature of this part of the site, combined with the tree cover, means there is also not felt to be any harm to the special significance of the historic grounds and parkland around these assets, which while not a designated Registered Park and Garden could be regarded as a Non-Designated Heritage Asset in its own right.”

- 7.2 I see no reason to disagree with the professional advice of the Conservation Officer.
- 7.3 The design of the solar canopies themselves are fairly typical of solar canopies in car parking areas. They are small scale, whilst allowing a car park to be parked underneath them, and open sided in nature. The design is considered to be acceptable.
- 7.4 For the reasons stated above, the design, layout and scale of the proposal is considered to be acceptable and does not have an unacceptable impact on nearby heritage assets. It is therefore considered that the proposal accords with the NPPF (2024), Policies 10 and 11 of the GBACS (2014), Policies LPD 19, 26, 27 of the LPD (2018) and S.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Amenity

- 8.0 The proposal is not considered to have an unacceptable impact on the amenity of neighbouring occupiers. This is primarily due to separation distances, with the nearest residential properties being approximately 50 metres away from the proposal on the other side of the private driveway as well as the scale and nature of the proposal.
- 8.1 For the reasons stated above, the proposal is considered to be in accordance with Policy 32 of the LPD which requires that new development must not have a significant adverse impact on the amenity of nearby residents.

Highway Safety

- 9.0 The site is accessed from a private driveway. Due to its location, the proposal does not affect access at the site.
- 9.1 Parking at the site is also not affected by the proposal. The solar canopies are located above an area approved for car parking as part of the planning permission for the residential therapy and treatment centre at the site. However, due to their design and layout, the canopies do not restrict any of the car parking spaces. It is not unusual to see solar panel canopies above car parking areas.
- 9.2 The Highway Authority has raised no objection to the proposal and I see no reason to disagree with the professional advice of the Highway Authority.
- 9.3 For the reasons stated above, the proposal is considered to be in accordance with Policy 61 of the LPD which states that permission will be granted for development proposals which do not have a detrimental effect on highway safety.

Ecology and Biodiversity

- 10.0 The Council's Ecologist has been consulted on the application and has raised no objection stating that as the planned works are to take place entirely on hard standing as well as the nature of the planned works, she is satisfied that ecology surveys would not be proportionate for this application. It should be noted that a number of ecology surveys were submitted with the previous application at the site for the proposed residential therapy and treatment centre. She has, however, advised that an informative be attached to the grant of any planning permission regarding reasonable avoidance measures for ecology. This covers measures such as working footprint, a toolbox talk to workers, measures if any protected species are found at the site, wildlife sensitive lighting during construction, measures to prevent entrapment of animals in pipes or trenches and pollution prevention. I see no reason to disagree with the professional advice of the Council's Ecologist and such an informative is recommended in section 14 of this report
- 10.1 This current application is exempt from Biodiversity Net Gain (BNG) as the impacted habitat is below 25sqm.
- 10.2 The Council's Arboricultural Officer has raised no objections to the proposal stating that;-

"The works are confined to an existing hardstanding area within the wider redevelopment site, where tree protection measures are already in place and governed by an approved Tree Protection Plan and Arboricultural Method Statement. Given this, and the fact that the development sits within a managed construction environment, there is no requirement to duplicate baseline tree protection controls.

The canopy structures are supported on discrete foundations, meaning any potential impact on rooting areas will be localised and can be managed through adherence to the existing approved Arboricultural Method Statement."

He does, however, advise that;-

"Given the surrounding tree cover, there is potential for shading of the solar panels, which in turn could lead to future pressure for pruning works to improve panel efficiency. This would be inappropriate where it conflicts with the amenity and retention objectives of the approved landscaping scheme. On that basis, I would advise that any consent makes it clear that the presence of the solar canopies does not justify future pruning of retained trees beyond good arboricultural management, and that no works to trees should be undertaken that would harm their health, structure or amenity in order to improve solar gain."

I see no reason to disagree with the professional advice of the Arboricultural Officer and also note that tree protection and management conditions were included as part of the original planning permission for the wider site. It is considered that an informative be attached to the grant of any planning permission to this effect, as set out in Section 14 of this Committee Report.

- 10.3 For the reasons stated above, subject to conditions, the proposal is considered to not impact on ecology at the site and is considered to comply with part 15 of the NPPF as well as policies ACS17 and LPD18.

Other Issues

- 11.0 The Council's Scientific Officer has raised no objection to the proposal. He has, however, stated that in line with the main planning permission for the site, it would be prudent for the developer to have a contingency plan in place should development reveal any contamination and request a condition to this effect. I see no reason to disagree with the professional advice of the Council's Scientific Officer and such a condition is recommended in Section 14 of this report.
- 11.1 It is not considered that this planning application decision will be affected by Local Government Reorganisation. The applicant is a private company that is not connected to the Council. The planning permission runs with the land and recommended condition 1, as set out in Section 14 of this report, would allow a developer three years to commence development. If planning permission is granted, then any pre-commencement conditions would require discharging by the Local Planning Authority under whichever Council is in place at the time.
- 11.2 There are no known equalities implications relating to the proposal.
- 11.3 As the proposal is for renewable energy development, this would aid sustainability.

Very Special Circumstances (VSCs)

- 12.0 As noted in paragraph 160 in the NPPF many renewable energy-related proposals will comprise inappropriate development within green belt-designated land. To allow the grant of planning permission a proposal would need to demonstrate very special circumstances and "such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources." The NPPF therefore provides for a balancing exercise.
- 12.1 Paragraph 153 of the NPPF requires the decision maker to ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 12.2 In reviewing the application, it is apparent that the development would not have a detrimental impact on nearby heritage assets, neighbouring amenity, ecology or highway safety. The proposed solar canopies would cause negligible harm to the openness of the Green Belt as they form part of a larger re-development of the site, would be located on an area of the site proposed to be hard landscaped for car parking and are small-scale in nature with open sides. It is

considered that the detrimental impact of the scheme would be minimal, with overall harm relatively low.

- 12.3 As explained in Section 7 of this report, free-standing solar canopies in this location will have less of an impact on the setting of the nearby heritage assets than solar panels located on the roof of the approved residential therapy and treatment centre (which would not enclose volume within the Green Belt). The recently approved ancillary building has also been designed with solar panels on its roof meaning that the solar canopies now proposed are as few as possible to power the main building. The location of the solar canopies proposed, close to this ancillary building, also means that all of the solar panels on the site are grouped together in one area.
- 12.4 When considering the above, and whilst accepting that VSC is a high threshold to reach, there are a number of factors that indicate support for the application to meet the threshold. Most notably, environmental benefits can be a VSC with the proposed scheme having clear environmental benefits in terms of renewable energy generation. In the wider policy context there is also a need to consider paragraph 161 of the NPPF where the planning system should support the transition to net zero by 2050.
- 12.5 Having regard to the above, it is considered that the identified benefits of the application clearly outweigh the harm to the Green Belt. The application has therefore met the threshold for very special circumstances and therefore the proposal is considered to be acceptable within the Green Belt.

13.0 Conclusion

- 13.1 In conclusion, and taking into account all relevant material planning considerations, it is considered that whilst the application would result in inappropriate development within the green belt; very special circumstances exist to allow the grant of planning permission. Notably the detrimental impact on the character of the area would be minor, the solar canopies would have less of an impact on the setting of the nearby heritage assts than the alternative of solar panels on the roof of the main residential therapy and treatment centre and that the clear environmental benefits of the scheme would meet the very special circumstances threshold and allow the grant of planning permission.
- 13.2 The proposed is therefore considered to comply with guidance within the NPPF, policies A, 1, 4, 10, 11, 12, 17, 18 of the Aligned Core Strategy and Policies 2, 7, 11, 18, 19, 26, 27, 32, 35, 57 and 61 of the Local Planning Document.

14.0 **Recommendation: GRANT PLANNING PERMISSION subject to the following conditions:-**

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 The development hereby permitted shall be completed in accordance with the submitted documents, received by the Local Planning Authority 21st May 2026;-

Application Forms
Site Location Plan
Block Plan
Elevations

- 3 The development shall be undertaken in the materials identified on the submitted application forms.
- 4 In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site.

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

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

Notes to Applicant

- 1 The applicant is advised that all planning permissions granted on or 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website.
The proposed development has been assessed and it is the Council's view that CIL is not payable on the development given that there is no net additional increase of floorspace as a result of the development.
- 2 Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with the National Planning Policy Framework.
- 3 In order to protect and maintain biodiversity in accordance with relevant wildlife legislation, the National Planning Policy Framework, Aligned Core Strategy

Policy 17 and Local Plan Policy LPD 18, works shall be conducted in accordance with the following Reasonable Avoidance Measures (RAMS):

- The working footprint will be kept to a minimum.
- A toolbox talk will be delivered to workers prior to the commencement of works to inform them of the potential for protected species and what to do if protected species are found during works. This should include halting work until a suitably qualified ecologist has been consulted.
- If any large mammal holes are identified within 30 m of the site, works will be halted until a suitably qualified ecologist has been consulted.
- Any common reptiles, amphibians or small mammals, such as hedgehogs, found during the works will be carefully moved to a safe, sheltered location (such as the base of a hedgerow) away from the works, using gloved hands.
- A wildlife sensitive lighting scheme will be employed, both during and post-construction, in compliance with the following guidance: Bats and Artificial Lighting at Night (Institution of Lighting Professionals, 2023), to avoid impacts to foraging and commuting bats and other nocturnal and crepuscular species.
- Appropriate RAMS will be followed to prevent entrapment of animals in pipes or trenches, such as provision of egress boards for any trenches left open overnight and capping of pipes over 120 mm in diameter.
- Materials such as netting and cutting tools will not be left in the works area overnight where they might entangle or endanger animals passing through the site.
- If possible, no stockpiles or piles of vegetation, rubble or soil will be left overnight. If this cannot be avoided, they will be stored raised off the ground or carefully dismantled by hand prior to removal.
- Building materials should be stored on pallets to discourage wildlife from sheltering within them
- Concrete should not be left unset overnight. If this cannot be avoided, a suitable barrier should be erected to prevent mammals accessing the concrete.
- Pollution prevention best practice will be followed during works.

4 Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Gedling Borough Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates was granted before 12 February 2024; or
 - (ii) the application for the original planning permission to which the section 73 planning permission relates was made before 12 February 2024.
4. The permission which has been granted is for development which is exempt being:

Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

- i) the application for planning permission was made before 2 April 2024;
- ii) planning permission is granted which has effect before 2 April 2024; or
- iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4 Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access

or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

Self and Custom Build Development, meaning development which:

- i) consists of no more than 9 dwellings;
 - ii) is carried out on a site which has an area no larger than 0.5 hectares;
- and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

"original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

- 5 The presence of the solar canopies does not justify future pruning of retained trees beyond good arboricultural management, and that no works to trees should be undertaken that would harm their health, structure or amenity in order to improve solar gain.



Report to Planning Committee

Subject: Planning Committee Reform

Date: 15th July 2026

Author: Assistant Director - Development

Purpose To brief Planning Committee Members on proposed legislative changes by the and to nominate members to a Cross-Party Working Group of 9 members to agree the Planning Committee Rules within the Constitution, amend the Planning Committee Protocol and amend the Scheme of Delegation.

Recommendation(s)

THAT:

- 1) That Planning Committee note the content of this report and the Government's proposed planning reforms
- 2) That the Planning Committee nominates members to a Working Group to agree Planning Committee Rules within the Constitution, amend the Planning Committee Protocol and also the Scheme of Delegation

1 Background

- 1.1 Government is introducing a National Scheme of Delegation through the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026. Sections 319ZZC–319ZZF have been inserted into the Town and Country Planning Act 1990 (as amended) to empower the Secretary of State to define which functions are delegated to officers and which are reserved for planning committees or sub-committee.
- 1.2 Its purpose is to provide greater clarity and consistency about which planning functions are decided by officers and which require committee

oversight, reducing variation and uncertainty across Local Planning Authorities

1.3 Local Planning Authorities are expected to have the new arrangements for decision-making in place by 31st October 2026. Decisions taken on or after that date must be taken in accordance with the Regulations and if not, could be considered by the Courts to have been unlawful.

1.4 The reforms will include a restriction on the number of elected members on Planning Committees to not exceeding 13 and mandatory training will be introduced for members of Planning Committees.

1.5 The introduction of a National Scheme of Delegation which will group planning applications into 2 schedules;

1.6 Schedule 1 (Tier A)

Schedule 1 sets out the list of types of applications that must in all circumstances be delegated to officers. These includes applications for planning permission for householder, minor residential and minor commercial development, as well as a number of supplementary and technical consents such as discharge of conditions, reserved matter approvals (for non-phased development), lawful development certificates, and non-material amendments.

1.7 Schedule 2 (Tier B)

Schedule 2 sets out the list of types of applications that may be referred to a committee subject to the circumstances set out in Regulation 5 (for clarity, this is the 'gateway' test where the nominated officer and nominated member agree to refer applications to Planning Committee or not) and must be delegated to an officer where those circumstances have not been met. These include other applications for planning permission not in Schedule 1, reserved matters approvals for phased development, variations of permissions, and special controls such as listed building and tree preservation order consents.

1.8 In making the decision the nominated member and officer must apply the criteria in Regulation 5(2) known as the Gateway Test. This is where the nominated member and nominated officer consider whether the

application raises;

(a) one or more issues of economic, social or environmental significance to the local area, or

(b) one or more significant planning matters having regard to the development plan and any other material considerations.

2 Proposal

- 2.1 To brief Planning Committee Members on proposed legislative changes by the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 and to nominate members to a Cross-Party Working Group of 9 members to agree Planning Committee Rules within the Constitution, amend the Planning Protocol and amend the scheme of Delegation to be consistent with the National Scheme of Delegation (NSD) through the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026.

3 Alternative Options

- 3.1 There are no alternative options, this legislation will come into force on 31st October. Any decisions not taken in accordance with the Regulations may be considered not to be legal.

4 Financial Implications

- 4.1 None, the changes required to the Constitution, Scheme of Delegation and Planning Committee Protocol will be met from existing budgets.

5 Legal Implications

- 5.1 Any decisions not taken in accordance with the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 may be considered not to be legally sound.

6 Local Government Reorganisation Implications

- 6.1 The legislation will apply to every Local Planning Authority in England, therefore a consistent approach to the determination of planning applications will be being taken by authorities ahead of Local Government

Reorganisation.

7 Equalities Implications

- 7.1 None, the legislation will be applied across Local Planning Authorities in England. Any implications have been considered by the government.

8 Carbon Reduction/Environmental Sustainability Implications

- 8.1 None, any carbon reduction and sustainability implications will be considered in the determination of individual planning applications by both the Local Planning Authority and Secretary of State should they decide to call in an application.

9 Background Papers

- 9.1 The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 - <https://www.legislation.gov.uk/ukdsi/2026/9780348283709/contents>
- 9.2 Planning Committees and the National Scheme of Delegation of Planning Functions: Guidance for local planning authorities in England - [Planning Committees and the National Scheme of Delegation of Planning Functions: Guidance for local planning authorities in England - GOV.UK](#)

Statutory Officer approval

Approved by:

Date:

On behalf of the Chief Financial Officer

Approved by:

Date:

On behalf of the Monitoring Officer



Report to Planning Committee

Subject: Future Planning Applications

Date: 06/07/2026

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

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

<u>App No</u>	<u>Address</u>	<u>Proposal</u>	<u>Possible Date</u>
2019/1080	Land At Broad Close Woodborough	Outline application for 11no. residential properties	TBC
2023/0083	Land Off Longdale Lane, Ravenshead	Erection of 33 dwellings, including open space, landscaping and associated infrastructure	TBC
2026/0189	Land South Oxton Road Calverton Nottinghamshire	Full planning application for residential development (154 dwellings) including affordable housing with associated access, drainage, public open space and play space.	TBC
2026/0240	Land At Mansfield Road And Calverton Road Arnold Nottinghamshire	Full planning application at Lodge Farm, for the erection of 116 dwellings, with access, open space, drainage, landscaping, and associated infrastructure.	TBC
2025/0726	Land Off Killisick Lane Arnold Nottinghamshire	Full planning application for the residential development of 172 new homes alongside associated site infrastructure, open space and landscaping.	TBC
2026/0094	Land Manor Farm House Mile End Road Colwick Nottinghamshire	Creation of 13 dwellings and associated road and parking.	TBC
2025/0736	24-26 Stoke Lane Gedling Nottinghamshire NG4 2QP	Proposed change of use from disused care home to 17 no. residential dwellings, including upward extension of rear portion of building, and supplementary landscaping to form more parking spaces and bin store, including dropped kerb	TBC

Please note that the above list is not exhaustive; applications may be referred at short notice to the Committee by the Planning Delegation 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.

ACTION SHEET PLANNING DELEGATION PANEL - 29th May 2026

2025/0919

32 Meadow Road, Netherfield, Nottinghamshire

Change of use of ancillary office accommodation to 2no.flats (C3 use class) and erection of a bin storage area to the frontage of the site

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: to grant permission.

2026/0157

1 Wright Street, Netherfield, Nottinghamshire

Removal of the rear section of the existing light industrial unit, construction of single storey rear extension for industrial use and conversion of first floor area into a 2 bedroom apartment with a small side amenity space.

Withdrawn from the agenda.

2026/0234

St Wilfrids Square Shopping, St Wilfrids Square, Calverton

1 x double sided D6 display totem (containing digital displays and centre name plate) at St Wilfrid's Square Shopping Centre (see plan & photos).

The proposed development would respect the visual amenity of the area and not be detrimental to highway safety.

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

Decision: to grant advertisement consent.

29th May 2026

Video Conference Call Meeting

Cllr Roy Allan
Cllr Pauline Allan
Cllr Stuart Bestwick
Cllr Lynda Pearson
Cllr Alison Hunt

Nigel Bryan – Development Manager
Claire Turton – Principal Planning Officer

ACTION SHEET PLANNING DELEGATION PANEL 5th June 2026

2025/0842

Big Tithe Farm, Bungalow Old Rufford Road Calverton
Retention of detached annexe.

The proposed site is not located in a sustainable location and the proposal represents inappropriate development in the Green Belt.

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

Decision to refuse planning permission

2026/0150TPO

Water Tower, Communications Station Nottingham Road Ravenshead
T1 - Sycamore - T2 - Sycamore - T3 - Red Pine - Prune/remove only those specific branches identified within the submitted photographic evidence (marked with red circles), cutting back to appropriate growth points or the main stem in accordance with BS3998:2010.
G1 - Laurel - hard prune to base to clear structure and road space 2.5 to 3 m.

The proposed development would not have a detrimental impact on visual amenity

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

Decision to grant TPO approval

2026/0205

44 Walsingham Road Woodthorpe Nottinghamshire
PROPOSED FIRST FLOOR SIDE EXTENSION OVER EXISTING GROUND FLOOR ADDITION, CONVERT PART GARAGE TO ACTIVITY ROOM AND W.C. AND A PROPOSED 2 STOREY REAR EXTENSION

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 to grant planning permission.

2026/0238

9 Skylark Close Ravenshead Nottinghamshire

Proposed rear 2 storey and single storey extension and internal alterations.

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 to grant planning permission.

2026/0242

60 Chapel Lane Ravenshead Nottinghamshire

Rear and side extension and loft conversion and demolition of detached garage

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 to grant planning permission.

2026/0245

Land Adjacent 51 Kirkby Road Ravenshead

The erection of a self-build 3-bed 1.5 storey bungalow, associated garage and vehicular access

The proposed site is not located in a sustainable location and the proposal represents inappropriate development in the Green Belt.

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

Decision to refuse planning permission.

5th June 2026

Video Conference Call Meeting

Cllr Roy Allan

Cllr Pauline Allan

Cllr Lynda Pearson

Cllr Stuart Bestwick

Nigel Bryan – Development Management Manager

Claire Turton – Principal Planning Officer

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ACTION SHEET PLANNING DELEGATION PANEL 12th June 2026

2026/0004

27 Edwin Street Daybrook Nottinghamshire

Erection of dormer windows to the front and rear elevations of the main dwelling

The proposed development would have an unacceptable impact on the character and appearance and visual amenity of the area.

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

Decision to refuse planning permission.

2026/0153

7 Main Street Linby Nottinghamshire

Replacement and amendment of existing stair and stair enclosure, to also comprise partial removal and support of ground floor spine beam.

The proposed development would fail to preserve the building and features of special architectural or historic interest which it possesses and would harm the significance of the listed building.

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

Decision to refuse planning permission.

2026/0144

The Arrow Gedling Road Arnold

Installation of 1x 98" external TV monitor on freestanding 'Goal Post' housing support, in existing beer garden area.

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 following amendment to condition regarding hours of operation.

Decision to grant planning permission.

12th June 2026

Video Conference Call Meeting

**Cllr Roy Allan
Cllr Pauline Allan
Cllr Lynda Pearson
Cllr Stuart Bestwick**

**John Krawczyk – Assistant Director of Development
Lewis Widdowson – Principal Planning Officer**

ACTION SHEET PLANNING DELEGATION PANEL 19th June 2026

2025/0170

148 Chapel Lane Ravenshead Nottinghamshire

Construction of dwelling.

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 to grant planning permission

2025/0646

109 Hilton Road Mapperley Nottinghamshire

2 storey side extension and single storey rear extension and associated garden works, full render of house , Erection of porch to frontage. Anthracite windows and doors throughout

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 to grant planning permission.

2026/0120

Land To South Ricket Lane Ravenshead

ONE SELF-BUILD DWELLING (FOLLOWING CONVERSION AND EXTENSION OF EXISTING STABLES)

The proposed development represents appropriate development in the Green Belt, would not have an unacceptable impact on the openness of the Green belt, would respect the character of the area, residential amenity and highway safety.

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

Decision to grant planning permission

2026/0174

31 Mansfield Road Daybrook Nottinghamshire

Installation of internally illuminated signboard with an area of 18sqm.

The proposed development would be harmful to the visual amenity of the area.

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

Decision to refuse advertisement consent

2026/0303

15 Douglas Crescent Carlton Nottinghamshire

Single storey rear extension and loft conversion to existing dwelling

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 to grant planning permission

2026/0315

22 Orchard Rise Lambley Nottinghamshire

Proposed Rear and front extension

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 to grant planning permission.

19th June 2026

Video Conference Call Meeting

**Cllr Roy Allan
Cllr Pauline Allan
Cllr Lynda Pearson
Cllr Ruth Strong
Cllr Stuart Bestwick**

**Nigel Bryan – Development Management Manager
Claire Turton – Principal Planning Officer**

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ACTION SHEET PLANNING DELEGATION PANEL 26th June 2026

2026/0170

155 Main Road Ravenshead Nottinghamshire

RETROSPECTIVE EXTENSION OF YARD (A CHANGE OF USE FROM AGRICULTURAL TO B8 STORAGE) AND PROPOSED AREA OF HARDSTANDING

The proposed development is not inappropriate for this Green Belt location, would respect the character of the area, residential amenity, ecology and highway safety.

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

Decision to grant planning permission

2026/0302

21 Knighton Road Woodthorpe Nottinghamshire

Proposed hip to gable conversion and three dormers to the rear.

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 to grant planning permission

2026/0354

77 Church Drive Daybrook Nottinghamshire

Single Storey Rear Extension. All materials to match existing.

The proposed development would not impact on residential amenity

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

Decision to grant prior approval

26th June 2026

Video Conference Call Meeting

**Cllr Roy Allan
Cllr Pauline Allan
Cllr Lynda Pearson
Cllr Ruth Strong**

Claire Turton – Principal Planning Officer