

Application Number: 2015/0913
Location: Sainsburys Local, 1 Nottingham Road, Ravenshead, Nottinghamshire.



NOTE:
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Report to Planning Committee

Application Number:	2015/0913
Location:	Sainsburys Local, 1 Nottingham Road, Ravenshead, Nottinghamshire.
Proposal:	Demolition of existing car showroom (use class sui generis) and erection of convenience store (use class 1) with associated landscaping, car parking and servicing.
Applicant:	Sainsburys Supermarkets Limited
Agent:	Turley
Case Officer:	David Gray

Site Description

The application site is located at the junction of Nottingham Road and Main Road, Ravenshead. The application site has recently been redeveloped into an A1 Convenience Store. A car sales business previously occupied the site. The site slopes steeply down to the south and west.

Residential properties are located opposite the site on Nottingham Road and Larch Farm Public House is located opposite the site on Main Road. The site has existing vehicular access to both Nottingham Road and Main Road.

The site is located within the Ravenshead Village envelope and Ravenshead Special Character Area as indicated on the Proposals Map for the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

Relevant Planning History

Planning application 89/1437 – Conditional Planning Permission was granted in October 1989 to ‘Extend workshop, demolish front wall and form car parking area.’

Planning application 92/0392 – Planning Permission was refused in May 1992 for ‘Proposed extension to existing car showroom building and erection of first floor office accommodation’ given the office accommodation was located outside an area of allocation for office uses; there would be inadequate space for the parking and manoeuvring of vehicles; and over intensification of development.

Planning permission 92/1391 – Conditional Planning Permission was granted in

March 1993 for 'Proposed extension to existing car showroom building and erection of first floor office accommodation'. This permission was never implemented.

Planning permission 2012/1449 – Conditional Planning Permission was granted in January 2013 for 'Proposed conversion and change of use of existing garden centre building into a restaurant with single storey side extension, and front glazed extension' at the adjoining site, No. 3 Nottingham Road.

Planning Permission 2013/0563 – Planning Permission was refused for the demolition of a car showroom and the erection of a convenience store (Use Class A1). The application was subsequently 'Allowed' at appeal and received conditional planning permission.

The Inspectors Decision included a condition to deal with offsite Highway works; Condition 3 of Appeal Decision APP/N3020/A/14/221883 states that:

Notwithstanding any details shown on plan numbers VN30200-200 Revision B and drawing numbers 13/W14215 200 revision B and 201 revision B, no development shall commence until details of a scheme of offsite highway safety improvements has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following measures:

- i. Details of gateway signs on the southbound A60, to the north of the site, and eastbound B6020, to the west side, including the design of the gateway signs and their exact location;*
- ii. Details of the design, location, and extent of dragon's teeth markings on the carriageway adjacent to the gateway signs;*

2015/0228DOC – Conditions attached to 2013/0563 were partially discharged. Condition 3i) and ii) could not be formally discharged.

Proposed Development

Following the Inspectors Decision for the erection of the Convenience Store the applicant sought to discharge the planning conditions.

A letter was sent to the applicant's agent partially discharging conditions apart from condition 3i) and ii).

Condition 3 related to works to be approved on the public highway via a 278 agreement with the Highway Authority.

This application seeks to remove condition 3i) and ii) of planning approval 2013/0563 as these works were not deemed necessary to make a satisfactory development in consultation with the Highway Authority.

Consultations

Ravenshead Parish Council – The application is for the removal of conditions imposed by the Planning Inspectorate as part of the decision to Allow an Appeal against Gedling Borough Council.

Object on grounds that insufficient information has been provided. The Inspector imposed off site highway improvements that have not been undertaken. There is no explanation in the application of why parts 3i) and ii) are not required by Sainsbury's.

Nottinghamshire County Council (Highway Authority) –

This application seeks to remove condition 3i and ii. Under Section 278 of the Highways Act 1980 an Agreement is to be entered into with the Highway Authority to allow highway improvement works to be carried out in the existing highway.

Part of the process is to obtain Technical Approval of the submitted Drawings. It was considered by the Highway Authority that 3i) the gateway signs were not required and 3ii) the Dragons Teeth markings were not necessary for this scheme, therefore, the Highway Authority have no objections.

A gateway feature has to meet technical criteria for such an implication. This involves such things as existing speed limits, accident figures and the benefit of the introduction of such a feature, the gateway proposal and Dragons Teeth do not meet the requirements.

The Highway Authority also consider there to be future maintenance implications and that the requirement of the condition would lead to the introduction of further street furniture that is not required.

Neighbouring Properties were notified and a Site Notice posted and 2 letters of representation were received as a result. The comments can be outlined as follows: -

- Various improvements to the proposed off site Highway Works have been put forward including: improved lighting, banks man, and improved signage;
- The application site will make the original application twice the size;
- Widening and easing the access and egress for vehicles on Nottingham will pose a greater danger to pedestrians;
- The application does not address the problems caused by inadequate car parking;
- The revisions still allow for a right turn from Nottingham Road directly into the site. This would have highway safety implications.

Planning Considerations

The main planning considerations in the determination of this application relate to whether there would be any increased undue highway safety implications as a result of omitting gateway signs and dragon's teeth from the offsite highway improvements.

I note that the principle of development has already been approved under Appeal APP/N3020/A/14/221883 and that the development has been completed in accordance with the approved plans. The only part of the development under consideration with this application is the variation to condition outlined above to omit the Dragon's Teeth and Gateway Signs. Following completion of the works the developer was required to enter into a section 278 agreement with the Highway

Authority for offsite highway improvements and receive technical approval.

I note that all the works to the Highway have been approved under a Section 278 agreement and the Highway Authority consider the works required under Condition 3 i) and ii) do not meet the technical criteria required for approval. The offsite highway works, now completed, have all received technical approval from the Highway Authority.

Whilst I am mindful that the Highway Authority objected to the development approved under appeal APP/N3020/A/14/221883 the Highway Authority now raise no objections to the proposal from a highway safety viewpoint.

I note the comments received from neighbouring residents relating to insufficient car parking, the size of the retail unit, the widening of the access, and the potential to right turn from Nottingham Road, however, the highways implications relating to these matters have already been considered and the application received planning permission under Appeal APP/N3020/A/14/221883.

I therefore consider that there would be no highway safety implications to removing Condition 3i) and ii) and recommend that the variation of condition is granted.

Recommendation:

Grant Planning Permission, subject to the following conditions:

Conditions

1. Notwithstanding any indication given in relation to the proposed off-site highway works, which shall be implemented in accordance with the terms of condition 2. The development hereby permitted shall be carried out in accordance with the following approved plans: Wallbrook Management Plans 13/W14215: 200 revision B (site plan), 201 revision B (location plan), 204 (proposed ground floor plan), 205 (proposed first floor plan), 210 (proposed elevation A), 211 (proposed elevation B), 212 (proposed elevation C), 213 (proposed elevation D), 217 (proposed plant detail), 218 (proposed sections), and 219 (existing and proposed street scenes). Vectos Plan VN30200-200 revision B (general arrangement) and drawing number 1058-02 (soft landscape proposals) prepared by Arthur Amos Associates, as amended by the details submitted with application 2015/0284NMA drawing no.'s: 2001 Rev D, 2002 Rev D, 2003 Rev B, 2004, 2005, 2006, 2007, 2008, 2010 Rev C, 2011 Rev C, 2012 Rev C, 2013 Rev C, 2014, 2015 Rev D, 2020 Rev C, 2021 Rev C, 2022 Rev C, 2025 Rev A and 2030 and the details submitted with applications: 2014/1368DOC and 2015/0228DOC.
2. The off-site highway works hereby approved shall be completed in accordance with the approved S278 Highway Improvement Plans received on 13 July 2015 drawing no's: VD14226-D001, VD14226-D002, VD14226-D003, VD14226-D004 and VD14226-D005.

3. The use hereby permitted shall not be open to customers outside the following hours: 0700hrs to 2300hrs.
4. The net sales floorspace of the convenience store (defined as the sales area within the building excluding checkouts, fitting rooms, lobbies, concessions, customer toilets and walkways behind the checkouts) shall not exceed 254 sq m, of which no less than 85% shall be used for the sale of convenience goods (defined as food and non-alcoholic beverages, tobacco, alcoholic beverages, newspapers and periodicals, and nondurable household goods) and no more than 15% may (be) used for the sale of comparison goods (defined as clothing materials & garments, shoes & other footwear, materials for maintenance & repair of dwellings, furniture & furnishings, carpets & other floor coverings, household textiles, major household appliances whether electric or not, small electric household appliances, tools & miscellaneous accessories, glassware, tableware & household utensils, medical goods & other pharmaceutical products, therapeutic appliances & equipment, bicycles, recording media, games, toys & hobbies, sport & camping equipment, musical instruments, gardens, plants & flowers, pets & related products, books & stationery, audio-visual, photographic and information processing equipment, appliances for personal care, jewellery, watches & clocks, other personal effects).
5. The external areas of the site shall be landscaped, in accordance with the details shown on plan number 1058-02, within the first planting season following the store being first brought into use. Thereafter, any trees, shrubs or plants that die or become seriously diseased within five years following the implementation of the landscaping scheme shall be replaced in the next available planting season with plants of a similar size and variety.

Reasons

1. For the avoidance of doubt.
2. For the avoidance of doubt
3. To protect the amenity of nearby residents and to ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
4. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
5. To ensure satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).

Reasons for Decision

In the opinion of the Borough Council the minor material amendment to amend the off-site highway works would not result in any significant undue highway safety implications.