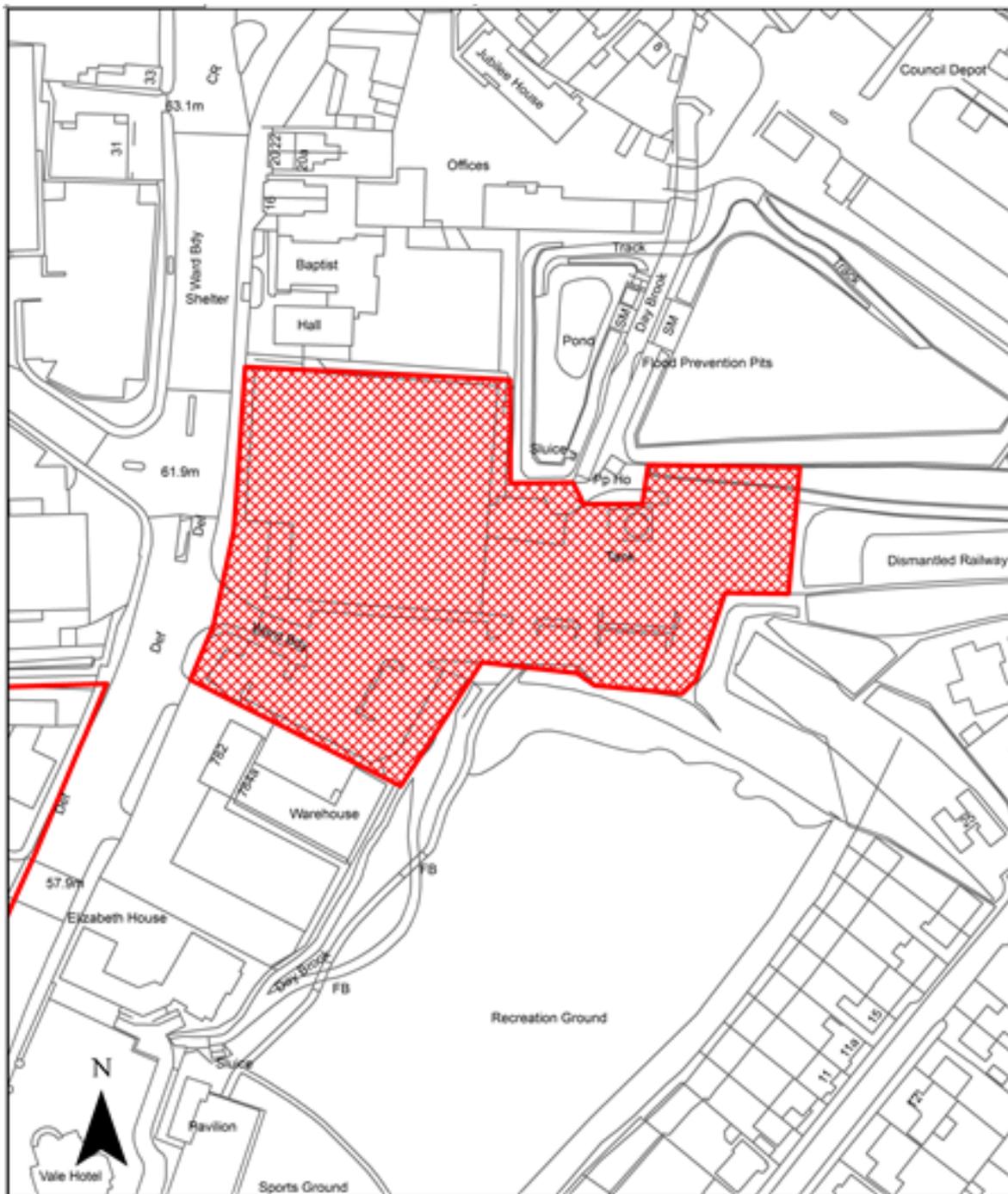


**Application Number:** 2016/0808  
786 Mansfield Road, Daybrook, NG5 3GG.  
**Location:**



**NOTE:**  
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## **Report to Planning Committee**

|                            |   |
|----------------------------|---|
| <b>Application Number:</b> | 2016/0808   |
| <b>Location:</b>           | 786 Mansfield Road, Daybrook, NG5 3GG.  |
| <b>Proposal:</b>           | Installation of a mezzanine floor to measure 1,115 sq m for use as retail floor space |
| <b>Applicant:</b>          | CML Investments & Go Outdoors   |
| <b>Agent:</b>              | Mr Michael Mills  |
| <b>Case Officer:</b>       | Cristina Dinescu  |

### **Site Description**

No.786 is a large retail unit located to the eastern side of Mansfield Road (A60), to the south west of Arnold Town Centre and to the north of the City of Nottingham.

The application site is approximately 1.02 hectares (2.54 acres) in size and currently accommodates a large retail unit and associated car parking area. The retail unit was originally a single store occupied by B & Q, it has subsequently been subdivided into two units, B & Q occupying the larger and Carpetright occupying the smaller. The B & Q unit now being vacant.

Vehicular access to the application site is to the south with pedestrian access provided from Mansfield Road. There is a pedestrian crossing to the west of the entrance which provides access to the retail units on the western side of Mansfield Road and the wider residential area.

### **Relevant Planning History**

83/0355 – Planning permission was granted for DIY warehouse/Garden Centre + 465 sq m of space for electrical goods, gas appliances etc. (no food). Condition 3 of the Permission restricted the use of the building for DIY goods, electrical and electronic goods and gas appliances and a back-up stock area.

97/0618 – Planning Permission was granted to amend Condition 3 of planning permission 83/0355 to permit a wider range of non-food goods. Condition 2 of the Permission relates to the types of goods permitted to be sold from the premises: carpets, floorcovering, DIY, builders merchants and home improvement goods, including fitted kitchens and bathrooms, furniture and home and soft furnishings, beds and bedding products, electrical and electronic goods, bicycles and spare parts and motor accessories and goods ancillary thereto.

2016/0245 – Planning Permission was granted to vary condition 2 (Planning Ref : 97/0618) to extend the range of goods able to be sold from the premises.

2016/0155 – Planning Permission was granted to install a mezzanine floor measuring 999sqm to be used as retail floor space.

### **Proposed Development**

The proposal seeks Planning Permission to install a mezzanine floor to measure 1115sqm. This application is a re-submission of a previously approved development under ref. no. 2016/0155.

A Supporting Statement, a Sequential Test and a Transport Statement were submitted with the application.

The Supporting Statement provides information regarding the tenant; Go Outdoors, a principally “bulky goods” operator, providing tents, camping, caravanning and outdoor pursuit equipment and associated clothing.

The Sequential Test sets out the criteria for choosing this retail unit: the size of the unit, provision of off-street car parking, accessibility to local community and adequate servicing facilities.

### **Consultations**

The Highway Authority (Notts County Council) – This application proposes to install a mezzanine floor with an area of 1,115sqm as retail floor area. This application proposes an increase in the mezzanine floor area to that granted on the previous application reference 2016/0155.

There is car parking to the existing site and the surrounding highway network in the vicinity of the A60 Mansfield Road is controlled by on-street parking restrictions.

Regarding the Transport Statement, we can confirm that various scenarios have been considered with regard to the permitted uses and proposed additional goods that may be sold at the store. We agree that there could be a material impact regarding traffic if the whole of the existing unit is occupied by a DIY store and the proposed mezzanine floor is utilised for ‘general display’.

To control this scenario it is suggested that the use of the development is controlled by implementing the following:

Condition:

No part of the mezzanine floor, hereby permitted, shall be utilised as retail sales floorspace, only bulky items, if the existing building and mezzanine are utilised as a DIY store.

Reason:

To ensure that the traffic generated by the proposed development would not result in an unacceptable increase in danger to the users of the highway due to increased

use of the existing access

Lead Local Flood Authority – No comments as the application site falls within the low risk area.

Adjoining Neighbours have been notified and a Site and Press Notice were posted and no letters of representation were received in return.

### **Planning Considerations**

In my opinion the main planning considerations involved in the determination of this application are whether the proposed addition of floor area would have a material impact on the vitality and viability of Local Centres and any highway safety issues.

At national level policy 2- “Ensuring the vitality of Town Centres” of the NPPF is relevant.

Paragraph 19 of the National Planning Policy Framework (NPPF) (March 2012) states that planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

Paragraph 27 of the NPPF states that planning applications should be refused where it fails to satisfy the sequential test or is likely to have a significant adverse impact for main town centre uses not in an existing centre.

I note a Sequential Test has been submitted with the application. The test highlights the unit has a large retail floor space above 2000sq m in a restricted A1 use, the ability to accommodate sufficient parking spaces to serve the proposed development in accordance with parking standards, it is highly accessible to the local community and would provide adequate servicing facilities; requirements which no other units within Arnold or the immediate surrounding area can meet. As such I am satisfied no other units are available in a town centre or edge of centre location and therefore an out of centre location, accessible and well connected to the town centre, would be acceptable in this instance.

I note the comments received from the Highway Officer with regards to the Transport Statement submitted and the various scenarios considered for the installation of the mezzanine floor, in particular, the highway implications that could result should the retail unit be utilised for the sale of DIY goods that are non-bulky. Given the potential highway impacts due to the sale of DIY products, I consider it reasonable to remove DIY products from the schedule of goods allowed to be sold from the Mezzanine. I consider this approach would have the same effect as the suggested condition from the Highway Authority.

In conclusion I am satisfied that the proposed addition of a mezzanine floor would not result in a significant impact on the vitality and viability of existing centres or on highway safety and would accord with the aims and objectives of national policy supporting sustainable economic development.

Should planning permission be forthcoming an informative would be attached to any approval advising that any signage on the external elevations may require advertisement consent and the advice of the Borough Council should be sought before development commences.

Having regard to the above considerations I am of the opinion that the proposal is in accordance with the advice contained within the National Planning Policy Framework (2012).

Accordingly I recommend that planning permission be granted.

**Recommendation:**

**Grant Planning Permission** subject to conditions:

**Conditions**

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby permitted shall be implemented in accordance with the application form, site location plan, Supporting Statement, Sequential Test and drawing no. 01 "Existing site plan", received on 11th July 2016, and revised drawing no. 02 "Proposed site plan" received on 09th September 2016, and Transport Statement received on 2nd August 2016.
3. Unless otherwise agreed in writing by the Borough Council, this permission shall only permit the sale of tents, camping and caravanning equipment and accessories, outdoor pursuit equipment and accessories (including walking, climbing, skiing, cycling, fishing, running and horse riding) along with associated clothing and footwear, carpets, floorcovering, builder's merchants and home improvement goods, fitted kitchens and bathrooms, furniture and home and soft furnishings, beds and bedding products, homewares, electrical and electronic goods, bicycle and spare parts, motor accessories and goods ancillary thereto, domestic hire shop and ancillary cafe.
4. This permission shall be restricted in respect of retail floorspace to units of not less than 500 sq m gross floorspace each, unless otherwise agreed in writing by the Borough Council.

**Reasons**

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure the proposal is in accordance with the aims of the National Planning Policy Framework (2012).

4. To ensure the proposal is in accordance with the aims of the National Planning Policy Framework (2012).

### **Reasons for Decision**

In the opinion of the Borough Council the proposed development would not have a significant impact on the vitality and viability of existing centres or on highway safety and would accord with the aims and objectives of the National Planning Policy Framework (2012).

### **Notes to Applicant**

Positive and Proactive Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework. During the processing of the application there were no problems for which the Borough Council had to seek a solution in relation to this application.

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

It is brought to your attention that any external changes to the front of the retail unit may require planning permission and the advice of the Borough Council should be sought before implementing any changes.

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 given that the development comprises a retail mezzanine(s) which is to be located in an existing retail property.