





## **Report to Planning Committee**

**Application Number:** 2016/0875

**Location:** Earl Of Chesterfield 37 Carlton Hill Carlton  
Nottinghamshire

**Proposal:** Demolition of an existing pub building, replaced with a three storey mixed use building consisting of 3 x A1 (Shops) or A5 (Hot Food Takeaway) retail units and 14 x 2-bed flats

**Applicant:** Mr Murphy

**Agent:** Mr Robert Haynes

**Case Officer:** Nick Morley

### **Site Description**

The application site relates to the Earl of Chesterfield Public House, which has been closed for approximately 20 months and is situated on the corner of Carlton Hill and Southcliffe Road. The site is triangular in shape and has an area of 0.18 hectares. It falls gently in level from east to west and from south to north.

There is an existing car park to the rear of the premises, with vehicular access off Carlton Hill and a pedestrian access off Southcliffe Road.

To the north of the site on Carlton Hill are two churches and a small group of shops; whilst diagonally opposite to the north-east is the existing Tesco store, which is located within the Carlton Square District Shopping Centre. To the east, there is a commercial property at the junction of Southdale Road with Carlton Hill.

To the south and west of the site is a group of bungalows and flats, providing sheltered accommodation for the elderly. Directly to the west of the car park is Carlton House, a two storey property which, in addition to containing more flats, also serves as a community centre for the adjacent sheltered accommodation, which is operated by Gedling Homes. The bungalows on Southcliffe Road are situated at a higher level than the site.

The site contains a number of semi-mature trees along the Southcliffe Road boundary and a small group of conifers to the rear of the existing building.

### **Proposed Development**

Full planning permission is sought for the demolition of the existing pub building and the erection of a three storey, mixed use, building consisting of 3 retail units and 14

two bedroom flats.

The proposed development would primarily front onto Carlton Hill, returning around the corner at the junction with Carlton Hill and Southdale Road.

The proposed development would be three storeys in height, with a flat roof having a height ranging between 10.5 metres to 11.5 metres.

The three ground floor retail units would be for either Class A1 (Shops) or Class A5 (Hot Food Takeaways). Unit 1 would have a floor area of 370 square metres (4,000 square feet) and Units 2 and 3 would each have a floor area of 93 square metres (1,000 square feet).

Parking facilities and services would be located behind the main frontage and towards Southcliffe Road. 14 public parking spaces are proposed to serve the retail units, which would be accessed from the existing vehicular entrance point on Carlton Hill. 14 private parking spaces are proposed for the residential tenants, with a separate shared surface parking area, in buff concrete pavers, to the back of the proposed retail units. Service yards for the retail units and a refuse store would be sited alongside Southcliffe Road. There are no new proposed points of vehicular access, although pedestrian access and refuse collection would be retained from Southcliffe Road.

Public access to retail Unit 1 would be from within the site, via the retail car park, and retail Units 2 and 3 would be accessed from Carlton Hill. Access to the proposed flats would be from the rear of the building.

The proposed building would be clad in a mid-tone, mixed blend brick, with areas of contrasting dark weatherboard cladding. Close-boarded timber fencing would be used at the boundary along Southcliffe Road.

The Design and Access Statement states, *inter alia*, that:

- The existing building would not readily suit conversion to a new use and there has been little interest in re-opening it as a public house.
- The site has been vacant for over 12 months, detracts from the area, as well as potentially attracting anti-social behaviour and fly-tipping.
- Access to public transport is good, with a bus stop directly outside the site, and Carlton Square is less than a five minute walk away.
- The site's excellent transport links and central location within Carlton make it ideal for both retail and residential uses.
- The scheme has been designed to enliven the Carlton Hill street scene, whilst providing sufficient facilities for shoppers and residents, and to perform a landmark role.
- The proposed retail car park would be surfaced in black tarmac with concrete kerbs and blue concrete pavers to the pavements.

- The residents' car park is proposed to be a shared surface and would be finished in buff concrete paviors.
- External parking areas and residential access points would be lit at night to ensure safe levels of illumination.

The following revised drawings and additional documents have been submitted for consideration during processing of the application:

- Revised Site Plan, Floor Plans and Roof Plan, and Elevations drawings.
- Materials and Context Statement.
- Drainage Strategy Report.
- Addendum to Sequential Test.

### **Consultations**

Local Residents - have been notified by letter, site notices have been posted and the application has been publicised in the local press.

I have received 7 letters and emails from local residents, in respect of the application as originally submitted, the contents of which can be summarised as follows:

- It is sensible to make good use of an unsightly plot, but shops are not viable or needed in this location, so the development should be wholly for residential use, particularly social housing.
- The proposed development is inappropriate for this small site and show a disregard for the surrounding bungalows and two storey apartments, which are in close proximity. A three storey development onto the pavement of Carlton Hill is not in keeping with surrounding properties.
- The scale of the proposed new building is intrusive to the existing properties and an over-intensive use of the land.
- The modern design of the proposed building is at odds with existing properties and would look alien and out of keeping at the junction of Carlton Hill and Southdale Road.
- The access to the loading area to the rear of the proposed shops is very limited, with not enough space given over for vehicular access. Residents parking would prevent access to the service area.
- There appears to be vehicular access to the site from Southcliffe Road to the rear of the proposed development. This road is narrow with a tight cul-de-sac turning area.
- The proposed development would generate additional traffic and a shortage of parking spaces in the development would increase traffic and parking problems on Southcliffe Road.
- Car parking on Southcliffe Road and around the area causes access problems, blocks pathways and makes it difficult to cross the road, particularly when parents

are transporting their children to and from school.

- The proposed development would increase traffic in the area, and increase the number of speeding vehicles, which is of concern for people in the area with mobility difficulties.
- Construction and delivery traffic is likely to park on this narrow part of Southcliffe Road, causing difficulties for local residents and restricting vehicles visiting existing properties.
- A proposed fence on the perimeter would close off the walkway through the existing public house car park, which has been in existence for 20-30 years. This would affect the safety of many elderly residents who use this access.
- The proposed nature of the business units, including takeaway food outlets, is likely to create noise and disturbance into the night, and raise issues about security.
- The bin area appears to be insufficient for all the proposed properties, with the increasing use of recycling for waste. This gives rise to concerns about noise, litter and smell and that inappropriate use would lead to safety issues for those with reduced mobility.
- It is disappointing to see proposals to develop the site with no regard to surrounding properties or the demographics of its near neighbours. A development of bungalows would be more sympathetic and in keeping with the area.
- The proposed development would detract from the quality of life of elderly local residents.

#### *Revised Drawings & Additional Documents*

In response to re-consultation on the revised drawings and additional documents, I have received one further email, which re-iterates previous comments above and which makes the following additional comments:

- The Computer Generated Image (CGI) appears to be out of scale with the stone walls of the bungalows.
- The existing bungalows to the rear of the proposed development would lose light, be overshadowed and overlooked.
- The immediate area around the Earl of Chesterfield public house is made up of old peoples bungalows and flats, with space around them. There are no three storey buildings built directly on to the pavement in this area. Two blocks of flats further up Carlton Hill are set back from the pavement to reduce the impact of their height and none are in the vicinity of single storey dwellings. The majority of buildings in this area are two storeys high and constructed of traditional materials.
- The proposed use of grey weatherboard cladding is extensive and the CGI of the proposed development shows it to be ugly with a lack of design flair. The

proposed development is unattractive and does not enhance the area. New build can enhance an area and look attractive, by using materials more suitable to the surroundings and in keeping with existing buildings. The weatherboard houses shown in the submitted photographs are not in close proximity to the site and some images highlight poor planning decisions of the past, which do not enhance the area around Carlton Square.

- Traffic is already congested in the area, with vehicles queuing to exit Southdale Road on to Carlton Hill several times a day.

Carlton House Community Centre Club – makes the following comments:

1. The height of the proposed building would have an imposing impact on nearby neighbours.
2. It is doubtful if further commercial units are needed in this area, so the development should be wholly for residential use.
3. It appears on the submitted plans that the pedestrian route from Southcliffe Road to Carlton Hill is to be removed and access would only be from a busy road and/or steep steps to reach the bus stop. This has been used for 25-30 years by the public in agreement with the landlord of the time. There are many elderly residents from Southdale and Southcliffe Roads which use that route due to their mobility and sight problems, which would endanger their passage to the bus stop in question. This has been drawn to the attention of the County Council's Rights of Way section.
4. Parking would be a major problem on Southcliffe Road in particular, as it serves the local school, therefore early mornings and mid-afternoons there is already congestion on Southcliffe Road and surrounding roads. On the short section of road at the lower end of Southcliffe Road, if anyone has parked a vehicle, no other vehicle of any size would have access, thereby large vehicles serving the proposed development would be causing further congestion in the area and a risk to public safety.

Nottinghamshire County Council (Highway Authority) – notes the revised plans, showing refuse collection points and delivery bays from Southcliffe Road.

The existing access point would be utilised to serve the retail units and parking areas for the retail units and apartments.

The Highway Authority would have no further concerns to the submitted proposal, subject to the imposition of conditions regarding the surfacing of parking, turning and servicing areas, and these being constructed to prevent the discharge of surface water onto the public highway.

Nottinghamshire County Council (Education & Libraries) – A development of 14 dwellings would yield an additional 3 primary places and 2 secondary places.

The County Council would therefore wish to seek an education contribution of

£34,365 to provide primary provision and £34,520 to provide secondary provision to accommodate the additional pupils projected to arise from the proposed development.

In terms of libraries, contributions are only requested on schemes for 50 dwellings or more. As this application is below this threshold, the County Council would not be seeking a contribution for libraries provision.

Environment Agency – no comments, but the Borough Council may wish to consult the Lead Local Flood Authority regarding surface water disposal.

Nottinghamshire County Council (Lead Local Flood Authority) – whilst the site itself is not affected by fluvial flooding, it is in an area affected by fluvial flooding. Further details have been requested to show how surface water is to be managed to prevent flood risk.

Following submission of the Drainage Strategy Report, the LLFA has confirmed that it has no objections to the proposed development.

Nottinghamshire County Council (Forestry Officer) – agrees that the trees currently present are of low visual amenity. The four most prominent trees are mature Swedish whitebeams and two of them are now in decline.

The proposed replacement planting and soft landscaping within the parking areas is relatively insignificant and does not specify trees or shrubs to further enhance the current site.

Nottinghamshire Wildlife Trust (NWT) – notes that the proposed demolition of an older building with a pitched slate roof would impact on bats, should they be using the building.

Good Practice Guidelines for Ecologists recommends that the demolition of certain buildings should trigger a requirement to carry out a bat survey, as all bat species are statutorily protected.

Given the age and type of this building, the NWT recommends that in order to ensure that all material considerations have been addressed the Borough Council requests that a Preliminary Roost Assessment (bat survey) is carried out before the application is determined.

The NWT draws attention to Government guidance in 2005, which states that planning conditions should only be used to secure ecological surveys in exceptional circumstances.

## Public Protection

### *Land Contamination*

Whilst former public houses are not particularly high risk, from the point of view of potential to contaminate the ground, the site has been dormant for some time now and there is potential for issues, particularly around the car parking area.

It is recommended, therefore, that a standard condition be attached to any permission with regard to unexpected contamination.

#### *Air Quality*

Whilst the proposed development is unlikely to impinge on the Air Quality Management Area, Public Protection would ask that the applicant is mindful of Section 124 of the NPPF; in particular sustaining ‘...compliance with and contribute towards EU limit values...’. Public Protection would recommend an informative is placed on the decision notice to encourage the applicant to consider mitigation in the form of electric vehicle charging infrastructure.

#### *Noise*

Due to the close proximity to Carlton Hill, Public Protection is concerned about noise from traffic on the future occupiers and particularly when using bedrooms to sleep at night. It is recommended that pre-commencement conditions be attached to any permission requiring the submission, approval, implementation and verification of environmental noise assessment and sound insulation schemes. Details of the scope of these and informatics have also been provided.

### **Planning Considerations**

In addition to the over-arching planning policy and sustainable development considerations, the main planning considerations in relation to this application are its impact on Carlton Square and Carlton Hill District Shopping Centres; the provision of community facilities; the impact of the proposed development on residential amenity and highway safety; and the design of the proposed development.

The proposal also raises other planning issues in relation to ecological considerations.

These planning considerations are assessed below, as are other issues raised.

#### **Relevant Policies & Background Information**

##### *National Planning Policies*

National planning policy guidance is set out in the National Planning Policy Framework (NPPF), at the heart of which is a presumption in favour of sustainable development. With regard to delivering sustainable development, the following core planning principles of the NPPF are most relevant to this planning application:

- NPPF Section 2: Ensuring the vitality of town centres (paragraphs 23-27)
- NPPF Section 4: Promoting Sustainable Transport (paragraphs 29-41)
- NPPF Section 6: Delivering a wide choice of high quality homes (paragraphs 47-55)
- NPPF Section 7: Requiring good design (paragraphs 56-68)
- NPPF Section 8: Promoting Healthy Communities (paragraphs 69-78)
- NPPF Section 10: Meeting the challenge of climate change, flooding and coastal

- change (paragraphs 100-104)
- NPPF Section 11: Conserving & enhancing the natural environment (paragraphs 109-125)

With regard to plan-making and decision-taking, the following sections of the NPPF are most relevant to this planning application:

- NPPF: Ensuring viability and deliverability (paragraphs 173-177)
- NPPF: Planning conditions and obligations (paragraphs 203–206)

In March 2014, National Planning Practice Guidance (NPPG) was published. This provides guidance on how to apply policy contained within the NPPF.

#### *Local Planning Policies*

Gedling Borough Council, at its meeting on 10th September, adopted the Aligned Core Strategy (ACS) for Gedling Borough (September 2014), which is now part of the development plan for the area.

It is considered that the following policies of the ACS are most relevant to this planning application:

- ACS Policy 1: Climate Change
- ACS Policy 2: The Spatial Strategy
- ACS Policy 6: Role of Town and Local Centres
- ACS Policy 10: Design and Enhancing Local Identity
- ACS Policy 12: Local Services & Healthy Lifestyles
- ACS Policy 14: Managing Travel Demand
- ACS Policy 17: Biodiversity
- ACS Policy 18: Infrastructure
- ACS Policy 19: Developer Contributions

The Gedling Borough Replacement Local Plan (RLP) should now be referred to as the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014). The following policies of the RLP are most relevant to this proposal:

- RLP Policy ENV1: Development Criteria
- RLP Policy H7: Residential Development on Unidentified Sites within the Urban Area and the Defined Village Envelopes
- RLP Policy T10: Highway Design and Parking Guidelines
- RLP Policy C1: Community Services General Principles
- RLP Policy C4: Loss of Community Facilities

Additionally, the Parking Provision for Residential Developments SPD (2012) and the 6C's Design Guide, which deals with highways and transportation infrastructure for new developments, are relevant.

Most recently, the Local Planning Document Publication Draft (LPD) has been in preparation, published and subject to examination.

Paragraph 216 of the NPPF sets out that from the day of publication, weight may be given to relevant policies in emerging plans depending on how advanced the Plan is and whether there are extant objections. At the present time, it is considered that the following LPD policies are relevant and may be given moderate or limited weight, depending on whether or not there are unresolved objections:

- LPD 32: Amenity (moderate weight)
- LPD 35: Safe, Accessible and Inclusive Development (limited weight)
- LPD 39: Housing Development on Unallocated sites (moderate weight)
- LPD 48: Retail Hierarchy and Town Centre Boundaries (moderate weight)
- LPD 51: Impact Assessment Threshold (moderate weight)
- LPD 54: Fast Food Takeaways (limited weight)
- LPD 56: Protection of Community Facilities (moderate weight)

### Sustainability Considerations

The most relevant policies for this site that need to be considered in relation to sustainability are set out in Sections 4 and 10 of the NPPF, Policies 1, 2 and 14 of the ACS, Policy H7 of the RLP and Policy 39 of the LPD. Whilst Policy 35 of the LPD is also relevant, only limited weight should be given to this, as there are unresolved objections.

Section 4 of the NPPF states at paragraph 32 that plans and decisions should take account of whether the opportunities for sustainable transport modes have been taken up and whether safe and suitable access to the site can be achieved for all people. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Section 4 of the NPPF also requires at paragraph 34 that developments which generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

Paragraph 35 of the NPPF then states that developments should be located, where practical, to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities and should consider the needs of people with disabilities by all modes of transport.

Section 10 of the NPPF steers new development to areas with the lowest probability of flooding.

Policy 1 of the ACS states that all development proposals will be expected to deliver high levels of sustainability in order to mitigate against and adapt to climate change, and to contribute to national and local targets on reducing carbon emissions and energy use.

Policy 2 of the ACS seeks to provide most development in or adjoining the main built up area.

Policy 14 of the ACS states that the need to travel, especially by private car, will be reduced by securing new developments of appropriate scale in the most accessible locations.

Policy H7 of the RLP sets the approach for dealing with residential development within the urban area and states that planning permission should be granted, subject to a number of specific criteria, which are assessed in detail under the Design Considerations.

Policy 35 of the LPD states, amongst other things, that proposals should provide spaces that provide direct, clear, safe and attractive links to existing routes, local and wider services, amenities and facilities, including public transport.

Policy 39 of the LPD states, amongst other things, that planning permission will be granted for residential development on unallocated sites that are not within the Green Belt, provided that:

1. The proposal is of a high standard of design and does not adversely affect the area by reason of its scale, bulk, form, layout or materials; and
2. The proposal would not result in the loss of buildings or other features including open space which makes an important contribution to the appearance of the area; and
3. The proposal would not cause a significant adverse impact on the amenity of nearby residents and occupiers; and
4. Appropriate provision for parking is made.

#### *Principle of Development*

Policy 2 of the ACS promotes a strategy of urban concentration with regeneration and seeks to provide most development in or adjoining the main built up area and that Policy 39 of the LPD supports residential development on unallocated sites in the urban area. The supporting criteria for Policy 39 are considered in detail in the design, residential amenity and highway considerations below.

I note that this is a previously developed public house site, which is located within the urban area and on the edge of the Carlton Square District Centre.

As such, I am satisfied that the proposed development accords with the aims of Policy 2 of the ACS, Policy H7 of the RLP and Policies 35 and 39 of the LPD.

#### *Sustainable Design*

The Design and Access Statement indicates that the proposed flats would be constructed with high levels of acoustic separation in the party walls and would be highly thermally insulated to minimise energy losses.

Steps would be taken to ensure that the proposed retail units function with minimal disruption to the residential flats above. Ventilation extracts would be concealed within the building envelope and exhaust away from openings.

#### *Transport & Accessibility*

I note that the Highway Authority has no objection to the proposals on highways grounds, with the existing access point on Carlton Hill being utilised to serve the retail units and parking areas and refuse collection points and delivery bays being accessed from Southcliffe Road.

There is a bus stop directly outside the site on Carlton Hill, and on either side of the road outside the nearby Tesco store, with regular services linking the site to and from Nottingham city centre.

Carlton Square District Centre is less than a five minute walk away and Carlton railway station is just over a ten minute walk away.

There is adequate space within the site to provide a reasonable level of parking provision, enabling staff, customers and residents (including those requiring accessible spaces) to park adjacent to the proposed building. Secure cycle parking can also be achieved by the imposition of an appropriate condition.

The proposed development would therefore provide good opportunities for the use of alternative modes of transport.

The Design and Access Statement states that all the retail units would be accessible in line with DDA standards, with level thresholds to all public entrances. Disabled parking bays would also be provided in both the retail and residential parking areas.

#### *Flood Risk*

I note that the Lead Local Flood Authority has no objection to the proposed development, and that the site itself is at low probability of flood risk, falling within Flood Zone 1.

As such, I am satisfied that the proposed development accords with the aims of Section 10 of the NPPF.

#### *Conclusion*

I am satisfied, therefore, that the proposed development can be considered to be sustainable in accordance with Sections 4 and 10 of the NPPF, Policies 1, 2 and 14 of the ACS, Policy H7 of the RLP and Policy 35 of the LPD.

#### Retail & Community Facility Considerations

The most relevant policies that need to be considered in relation to retail planning policy and the provision of community facilities are set out in Section 2 and 8 of the NPPF, Policies 6 and 12 of the ACS, Policies C1 and C4 of the RLP and Policies 48, 51, 54 and 56 of the LPD.

Section 2 of the NPPF seeks to promote the vitality and viability of town centres and requires the sequential test to be applied to retail and main town centre uses, which favours in centre sites, followed by edge of centre sites and lastly out of centre sites. Paragraph 26 also requires that out of centre schemes submit an Impact Assessment if they are over 2,500 square metres or a locally set threshold.

Section 8 of the NPPF identifies at paragraph 70 that planning decisions should guard against the unnecessary loss of valued facilities, particularly where this would reduce the community's ability to meet its day to day needs. This requirement is repeated in policy C4 and LPD 56.

Policy 6 of the ACS adopts a similar approach to the NPPF, with proposals having to demonstrate compliance with the Sequential and Impact Tests.

Policy 12 of the ACS states, amongst other things, that new community facilities will be supported where they meet a local need. Community facilities should:

- a) be located within the City Centre, town centre or other centres, wherever appropriate; or
- b) be in locations accessible by a range of sustainable transport modes suitable to the scale and function of the facility; and
- c) where possible, be located alongside or shared with other local community facilities.

Policy C1 of the RLP states that planning permission will be granted for proposals to improve community services and facilities provided that:

- a) they are not detrimental to the amenity of adjoining and nearby property; and
- b) their location is within or near to local/district centres or easily accessible to local residents.

Policy C4 of the RLP repeats the requirement of paragraph 70 of the NPPF and sets out that planning permission will not be granted if the loss of a community facility, such as a public house, leads to an increase in car journeys.

Policy 48 of the LPD sets out the network and hierarchy of town centres to be promoted and re-designates Carlton Square as a Local Centre, due to the way in which it functions.

Policy 51 of the LPD set out that development proposals for Class A1 uses of 500 square metres or more, and not within a Town or Local Centre, should be supported by an Impact Assessment.

Policy 54 of the LPD sets out that planning permission will not be granted for new A5 uses within 400 metres of a secondary school. This site does not fall within 400 metres of a secondary school and Policy 54 of the LPD does not apply in this instance.

Policy 56 of the LPD repeats the requirement of paragraph 70 of the NPPF and sets out that planning permission will not be granted unless:

- a) alternative provision with sufficient capacity is reasonably accessible;
- b) alternative provision will be provided; or
- c) it is demonstrated that the community facility is no longer economically viable, feasible or practical.

The proposed development is located on the edge of Carlton Square District Centre, and a Sequential Test has been submitted, as required by Section 2 of the NPPF and Policy 6 of the ACS.

The Sequential Test indicates that whilst other sites are available in Carlton Square or Carlton Hill District Centres, including the former Windsor Castle public house and 330-332 Carlton Hill, or in the immediate vicinity, including 35 and 137 Carlton Hill these have been discounted as none would be suitable nor viable for the proposed development in terms of their size, accessibility or availability.

I am satisfied, therefore, that it has been demonstrated that there are no other sites or units within, or on the edge of, an existing town centre that are suitable, available or viable for the proposal. The proposed retail development therefore meets the Sequential Test required by the NPPF.

As the proposed retail units meet the Sequential Test, their potential viability is not a relevant consideration in this instance.

With regards to the need for an Impact Assessment, I note that the proposal includes a total of 557 square metres across three units. However, the application form indicates that one of the two smaller units proposed (93 square metres) would be occupied by a Class A5 use, meaning that only 464 square metres would be occupied by Class A1 uses. As this is below the locally identified threshold, an Impact Assessment is not required under Policy 51 of the LPD in this instance, although I would recommend the imposition of an appropriate condition on any permission to ensure that this remains the case.

This edge of centre location should also help encourage linked shopping trips to the adjoining Carlton Square District Centre and help sustain its vitality.

I note that Policy 48 of the LPD proposes to amend the boundary of the Carlton Square District Centre, meaning that the site is no longer immediately adjacent to this Centre. However, taking account of the distance to the closest primary frontage in Carlton Square (considered to be the pedestrian access to Tesco) and the location of crossing points across the road, it is considered that the site can be considered edge of centre.

With regard to community facilities, I note that although the proposed development would result in the loss of a disused public house, three new retail units would be provided. Whilst this would not result in a like for like replacement of community

facilities, there are other Class A4 drinking establishments in close proximity to the site. I am satisfied that these would be able to service the community's needs in this respect and would not lead to any significant increase in car journeys or undue impact on residential amenity, in accordance with Section 8 of the NPPF, Policies C1 and C4 of the RLP and Policy 56 of the LPD.

The site is also accessible by a range of sustainable transport modes, including public transport, cycling and walking, as required by Policy 12 of the ACS.

As this site does not fall within 400 metres of a secondary school, Policy 54 of the LPD does not apply in this instance.

As such, I consider that the proposal accords with the aims of Sections 2 and 8 of the NPPF, Policies 6 and 12 of the ACS, Policies C1 and C4 of the RLP and Policies 48, 51, 54 and 56 of the LPD.

### Design & Layout Considerations

The relevant planning policies which need to be considered in relation to the design of a proposed development of this scale are set out in Sections 6 and 7 of the NPPF, Policy 10 of the ACS and Policies ENV1, H7 and T10 of the RLP. The 6C's Design Guide and the Parking Provision for Residential Development SPD are also relevant.

Section 6 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development and that local planning authorities should plan for a mix of housing.

Section 7 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 are visually attractive as a result of good architecture and appropriate landscaping.

Policy 10 of the ACS requires all new development to be designed to a high standard and sets out in detail how this should be assessed. All new development should make a positive contribution to the public realm and sense of place and create an attractive, safe, inclusive and healthy environment. The most relevant design elements in this instance include the layout; density and mix; impact on the amenity of nearby residents and the incorporation of features to reduce opportunities for crime and anti-social behaviour.

Policy ENV1 of the RLP states, amongst other things, that planning permission will be granted for development provided that it is of a high standard of design which has regard to the appearance of the area and does not adversely affect the area by reason of its scale, bulk, form, layout or materials. Policy ENV1 also states that development proposals should include adequate provisions for the safe and convenient access and circulation of pedestrians and vehicles.

Policy H7 of the RLP sets the approach for dealing with residential development within the urban area. It states planning permission should be granted provided:

- a) It is of a high standard of design and does not adversely affect the area by reason of its scale, bulk, form, layout or materials;
- b) It would not result in the loss of buildings or other features, including open space, which make an important contribution to the appearance of the area; and
- c) It is not contrary to other policies in the Local Plan.

Policy T10 of the RLP states that in considering proposals for new development, reference will be made to the Highway Authority's design and parking guidelines.

The application site is within the main built up area of Carlton and would not result in the loss of buildings or features which make an important contribution to the appearance of the area.

In my opinion, the proposed scheme would enliven the street scene along Carlton Hill and allows for good accessibility to the retail units, whilst providing sufficient parking facilities for both shoppers and residents. The primary frontage runs along Carlton Hill and turns to address the prominent corner of the site at its junction with Southdale Road.

It would perform a landmark role when viewed from Carlton Square towards Carlton Hill and would present an active street frontage and the proposed use of mid-tone mixed blend brick with areas of contrasting dark weatherboard cladding would break up the massing of the building. In addition, the different roof heights create a graduated roofline which also adds more interest to the massing.

Whilst the proposed development has a contemporary design, with a flat roof, it is not out of character with other buildings in or adjacent to Carlton Square District Centre, such as the Tesco store diagonally opposite the site, the DBH Business Centre and the Walton Court flats.

As noted in the Materials and Context Statement, there are also a number of nearby developments which feature areas of cladding or render to contrast the red brick, similar to the proposed development. I note that the Highway Authority is satisfied with the proposed layout and that off-street parking provision would be provided in accordance with the Parking Provision for Residential Development SPD.

In my opinion, the proposed development would not represent over-intensive development of the site, as adequate provision has been made for access, parking, servicing and landscaping.

I am satisfied, therefore, that the proposed development has regard to the appearance of the area and would make a positive contribution to the public realm and create an attractive, safe, inclusive and healthy environment for both shoppers and residents, in accordance with Policy 10 of the ACS.

In my opinion, the proposed development is of a high standard of design, which has regard to the appearance of the area and does not adversely affect the area by

reason of its scale, bulk, form, layout or materials, in accordance with Policy ENV1 of the RLP.

It is considered, therefore, that the design of the proposed development would be in accordance with Sections 6 and 7 of the NPPF, Policy 10 of the ACS and Policies ENV1, H7 and T10 of the RLP and the 6C's Design Guide and the Parking Provision for Residential Development SPD.

### Residential Amenity Considerations

The relevant planning policies which need to be considered in relation to residential amenity are set out in Policy 10 of the ACS, Policy ENV1 of the RLP and Policy 32 of the LPD.

Policy 10 of the ACS states, amongst other things, that development will be assessed in terms of its treatment of the impact on the amenity of nearby residents and occupiers.

Policy ENV1 of the RLP states, amongst other things, that planning permission will be granted for development provided that it would not have a significant adverse effect on the amenities of adjoining occupiers or the locality in general, by reason of the level of activities on the site or the level of traffic generated. This is reflected more broadly in Policy 10 of the ACS.

Policy 32 of the LPD states, amongst other things, that planning permission will be granted for development proposals that do not have a significant adverse impact on the amenity of nearby residents or occupiers, taking into account potential mitigation measures; including consideration of the following issues:

- Overshadowing;
- Overbearing;
- Overlooking;
- Noise;
- Level of activity on site;
- Traffic;
- Residential visual amenity;
- Other forms of pollution;
- Impact on amenity space; and
- Impact on renewable energy generation.

With regard to residential amenity, I note that there are existing bungalows on Southcliffe Road in relatively close proximity to the site. However, the orientation of these is such that the nearest bungalow is separated from the proposed development by a distance of some 10 metres at its closest point and is also sited at a higher level, which mitigates the impact of the scale and massing of the proposed development on these properties. In addition, the application site is located to the north of Southcliffe Road, with the proposed parking and servicing areas located to

the rear, adjacent to Southcliffe Road, which reduces any potential undue impacts further.

I am satisfied, therefore, that the layout and scale of the proposed development would not have any unduly detrimental impact on existing residential properties on Southcliffe Road, Carlton Hill or Cromwell Street in terms of overlooking, overshadowing or overbearing issues, nor by reason of the level of activities on the site or the level of traffic generated.

Whilst I appreciate the concerns of local residents with regard to increased traffic and parking problems on Southcliffe Road to the rear of the site, I note that the Highway Authority has no objections to the proposed parking and servicing arrangements for the retail units and flats. However, I do consider it would be appropriate to impose a condition on any permission requiring a Parking Management Plan, to ensure that the proposed parking areas for the flats remain available for use by the occupants.

With regard to noise, I consider it would be appropriate to impose a condition on any permission to safeguard occupants of the proposed flats, as recommended by Public Protection. Noise, or other nuisance, which may be generated by the proposed development can be controlled under other legislation.

I am also mindful that this is an existing Class A4 Drinking Establishment, which could be re-opened or re-developed for similar purposes. In my opinion, the proposed retail units are unlikely to generate more noise or other nuisance to local residents than the existing use.

The proposed development would have no impact on amenity space or renewable energy generation.

In my opinion, the proposed development would not have an unduly detrimental impact on the amenity of nearby residents in accordance with the aims of Policy 10 of the ACS, Policy ENV1 of the RLP and Policy 32 of the LPD.

### Highway Considerations

The relevant planning policies that need to be considered in relation to highway matters are set out in Policies ENV1 and T10 of the RLP and the Parking Provision for Residential Development SPD.

Policy ENV1 of the RLP states, amongst other things, that planning permission will be granted for development if it would not have a significant adverse effect on the amenities of adjoining occupiers or the locality in general, by reason of the level of activities on the site or the level of traffic generated. Development proposals should include adequate provisions for the safe and convenient access and circulation of pedestrians and vehicles and that, in this regard, particular attention will be paid to the needs of disabled people, cyclists, pedestrians and people with young children.

Policy T10 of the RLP refers to highway design and parking guidelines and states, amongst other things, that developers will not be required to provide more parking spaces than they consider necessary unless failure to provide enough off-street parking would harm road safety or prejudice the flow and management of traffic on nearby streets.

Whilst I appreciate the comments made by local residents with regard to increased traffic and parking issues, I note that, subject to the imposition of appropriate conditions, the Highway Authority has no objections to the proposed development; with the existing access off Carlton Hill serving the retail units and parking areas for the retail units and flats, and refuse collection points and delivery bays from Southcliffe Road.

The revised layout plan confirms that there is no vehicular access to the site from Southcliffe Road, but there is scope to retain pedestrian access as part of the proposed means of enclosure.

The proposed parking provision for the proposed development meets the Borough Council's Parking Provision for Residential Developments SPD, in that it provides 1 allocated off-street parking space for each of the two bedroom and the requirement for a further 6 unallocated spaces can be accommodated either within the adjacent retail parking areas or on-street in the vicinity.

It is considered, therefore, that the proposed development would provide access, parking and turning arrangements in accordance with Policies ENV1 and T10 of the RLP and the Parking Provision for Residential Development SPD.

### Ecological Considerations

The relevant planning policies that need to be considered in relation to ecological matters are set out in Section 11 of the NPPF and Policy 17 of the ACS.

Section 11 of the NPPF advises, at paragraph 118, that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying a number of principles, including the encouragement of opportunities to incorporate biodiversity in and around developments. If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

Policy 17 of the ACS states that development on or affecting non-designated sites or wildlife corridors with biodiversity value will only be permitted where it can be demonstrated that there is an overriding need for the development and that adequate mitigation measures are put in place.

Whilst I note the recommendation of the Nottinghamshire Wildlife Trust that a Bat Survey be undertaken prior to the application being determined, I am satisfied that the imposition of an appropriate condition would be acceptable in this instance. In particular, I am mindful that waiting for the optimum time for such a survey (May to

September), would unnecessarily delay determination of what is otherwise a sustainable development.

I am satisfied, therefore, that the proposed development would protect existing areas of biodiversity interest and that the landscaping of the proposed development would provide new biodiversity features to mitigate those which would be lost.

As such, I consider that the proposed development would accord with the aims of Section 11 of the NPPF and Policy 17 of the ACS.

### Planning Obligations

The relevant planning policies which need to be considered in relation to S106 planning obligations for infrastructure and local services are set out in Policies 12, 18 and 19 of the ACS and paragraphs 173-177 and 203-205 of NPPF in relation to plan-making and decision-taking.

Policy 12 of the ACS states that where appropriate, contributions will be sought to improve existing community facilities provision, where the scale of residential development does not merit developers providing community facilities provision directly.

Policy 18 of the ACS requires new development to be supported by the required infrastructure (including any necessary community facilities) and that contributions will be sought from developers for infrastructure needed to support the development. This is in line with the planning obligations tests set out in paragraph 204 of the NPPF.

Policy 19 of the ACS states that all development will be expected to:

- Meet the reasonable cost of new infrastructure required as a consequence of the proposal;
- Where appropriate, contribute to the delivery of necessary infrastructure to enable the cumulative impacts of developments to be managed, including identified transport infrastructure requirements; and
- Provide for the future maintenance of facilities provided as a result of the development.

Paragraph 173 of the NPPF states that to ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

Paragraph 204 of the NPPF states that planning obligations should only be sought where they meet all of the following tests:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and

- Fairly and reasonably related in scale and kind to the development.

With regard to educational facilities, I note that the County Council has requested financial contributions towards primary and secondary education. I consider that this is necessary, reasonable and related to the proposed development, in that it is calculated from the number of primary and secondary school places which the proposed development is expected to generate and the capacity of existing schools in the area.

### Conclusion

The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014), the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014), and the Local Planning Document Publication Draft, where appropriate.

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.

The proposed development would bring this disused site back into use for community and residential purposes, close to Carlton Square District Centre and its existing facilities and amenities.

If Members are minded to accept my recommendation, a Planning Obligation will be sought in accordance with the requirements of the NPPF.

It will not be necessary to refer the application to the Secretary of State for Communities and Local Government under the Town and Country Planning (Consultation) (England) Direction 2009.

### Recommendation:

**To GRANT PLANNING PERMISSION subject to the applicant entering into a Section 106 Agreement with the County Council for a contribution towards primary and secondary education and 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 hereby permitted shall be constructed and implemented in accordance with the following approved plans and documents: Design and Access Statement (Means of Surfacing and Ventilation Extracts), received on 29th July 2017; Proposed GA Floor Plans and Roof Plan (20-006 Rev A), Proposed Elevations (20-007 Rev A), and Drainage Strategy Report, received on 9th February 2017; and Proposed Site Plan (70-003 Rev D), received on 20th February 2017.

3. 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 Borough Council and development must be halted immediately on that part of the site until such time that the Borough Council has given written approval for works to recommence on site. Once contamination has been reported to the Borough Council, an assessment of contamination must be undertaken. This assessment shall 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. The assessment shall be undertaken by a competent person and shall assess any contamination of the site whether or not it originates on site. Where remediation is necessary, a written remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Borough Council. The remediation scheme shall be implemented as approved.
4. Before development is commenced, excluding the demolition of the existing buildings, there shall be submitted to and approved in writing by the Borough Council an environmental noise assessment and details of a sound insulation scheme. The environmental noise assessment shall include the impact of any transportation noise, and noise from people on the street, and shall be carried out whilst any premises and/or activities in the vicinity that are likely to have an adverse effect on noise levels are operating. In addition, it shall include predicted noise levels for any plant and equipment which would form part of the development, octave band analysis and all assumptions made (e.g glazing and facade areas). The sound insulation scheme shall include the specification and acoustic data sheets for glazed areas of the development and any complementary acoustical ventilation scheme and be designed to achieve the following internal noise levels: (1) Not exceeding 30 dB LAeq (1 hour) in bedrooms for any hour between 23.00 and 07.00; (2) Not exceeding 35 dB LAeq (1 hour) for bedrooms and living rooms for any hour between 07:00 and 23:00; (3) Not more than 45 dB LAmax (5 minutes) in bedrooms (measured with F time weighting) between the hours of 23.00 and 07.00. Before the development hereby permitted is first occupied, verification that the approved sound insulation scheme has been implemented in accordance with the approved details and is fully operational shall be submitted to and be approved in writing by the Borough Council. The sound insulation scheme shall thereafter be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
5. Before development is commenced there shall be submitted to and approved in writing by the Borough Council cross-sections through the site showing details of the existing and proposed site levels in relation to adjacent properties, including finished floor levels. The development shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.
6. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of a Parking Management Plan,

which shall demonstrate how bays 1 to 14 of the proposed resident's parking area will remain available for use by the occupants of the flats at all times. The Plan shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

7. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of cycle stands to serve the proposed retail units and flats. The cycle stands shall be provided in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
8. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of a scheme to prevent the unregulated discharge of surface water from the access and egress routes, parking, turning and servicing areas onto the public highway. The scheme shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
9. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of all external plant, including extract units, air conditioning systems, flues, fans & vents. The external plant shall be provided in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
10. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of all external lighting, including levels of illumination, to be provided on the proposed building or elsewhere within the site. The external lighting shall be provided in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
11. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of the materials to be used in the external elevations of the proposed building. Thereafter the development shall be carried out in accordance with approved materials, unless otherwise prior agreed in writing by the Borough Council.
12. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of the proposed means of enclosure of the site, which shall include provision for pedestrian access from Southcliffe Road. The means of enclosure shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

13. Before development is commenced there shall be submitted to and approved by the Borough Council a landscape plan of the site showing the position, type and planting size of all trees, hedges, shrubs or seeded areas proposed to be planted. The approved landscape plan shall be carried out in the first planting season following the substantial completion of the development. If within a period of five years beginning with the date of the planting of any tree, hedge, shrub or seeded area, that tree, shrub, hedge or seeded area, or any tree, hedge, shrub or seeded area that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Borough Council seriously damaged or defective, another tree, shrub or seeded area of the same species and size as that originally planted shall be planted at the same place, unless otherwise prior agreed in writing by the Borough Council.
14. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of a Local Employment Agreement to cover the construction of the development hereby permitted. The Local Employment Agreement shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.
15. Before development is commenced there shall be submitted to and approved in writing by the Borough Council a bat activity survey of the existing building and any recommended mitigation measures. Any mitigation measures shall be implemented in accordance with the approved details.
16. The access and egress routes, car parking areas, turning and servicing areas and other unbuilt on portions of the site shall be provided and completed in accordance with the approved details specified in condition 2 above before the development is first brought into use and the parking, turning and servicing areas shall not be used for any purpose other than the parking, turning, loading and unloading of vehicles, for the lifetime of the development.
17. Before the development hereby permitted is first brought into use, the individual parking spaces shall be clearly marked out on site in accordance with the approved plan. The parking spaces shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
18. The retail units hereby permitted shall only be used for purposes falling within Class A1 (Shops) or Class A5 (Hot Food Takeaways) of the Town and Country Planning (Use Classes) Order 1987, or any Order revoking and re-enacting that Order, as specified in the email from the applicant's agent on 16th February 2017. Only two of the three retail units hereby permitted shall be used for purposes falling within Class A1 (Shops) at any time, unless otherwise prior 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 and to allow a proportionate approach to minor material amendments.
3. 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 Section 11 of the National Planning Policy Framework and Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
4. To protect the occupants of the proposed development, in accordance with the aims of Section 11 of the National Planning Policy Framework.
5. To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
6. To ensure a satisfactory development and in the interests of highway safety, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
7. To promote sustainable transport, in accordance with the aims of Section 4 of the National Planning Policy Framework and Policy 14 of the Aligned Core Strategy for Gedling Borough (September 2014).
8. To ensure surface water from the site is not deposited on the public highway, causing dangers to road users, in the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
9. To ensure that the details of external plant are satisfactory, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
10. To ensure that the details of external lighting are satisfactory in the interests of visual amenity 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).
11. To ensure that the materials to be used in the external elevations of the proposed building are satisfactory, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
12. 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).
13. To ensure that the landscaping of the proposed development accords with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

14. To seek to ensure that the construction of the site provides appropriate employment and training opportunities, in accordance with Policy 4 of the Aligned Core Strategy for Gedling Borough (September 2014).
15. To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
16. In the interests of highway safety 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).
17. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
18. For the avoidance of doubt and to ensure compliance with Policy 51 of the Local Planning Document Publication Draft (Part 2 Local Plan), May 2016.

## **Reasons for Decision**

### **Notes to Applicant**

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved as is detailed below. Full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, residential extension or residential annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website or from the Planning Portal: [www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

You must contact the Borough Council's Building Control Section with regard to any proposed demolition of buildings on the site at least 4 weeks prior to any site clearance commencing.

The environmental noise assessment shall be suitable and sufficient, where appropriate shall consider the impact of vibration, and shall be undertaken by a competent person having regard to BS 7445: 2003 Description and Measurement of Environmental Noise and any other appropriate British Standards. The internal noise levels referred to are derived from BS 8233: 2014 Sound Insulation and Noise Reduction for Buildings. The approved sound insulation scheme must be maintained and, in the case of mechanical ventilation, must be maintained, serviced and operated in accordance with manufacturer's recommendations.

The applicant's 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 the Borough Council might help decrease levels by

incorporating mitigation measures into scheme design as standard.(See: <http://www.gedling.gov.uk/planningbuildingcontrol/planningpolicy/emerginglocalplan/supplementaryplanningdocuments/> )The Borough Council would also ask that the developer considers the commitment to incorporate provision for an EV (electric vehicle) charging point(s); to allow employees and/or clients/visitors to charge electric/plug-in hybrid vehicles whilst on site.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.

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).

Should any bats be found during demolition, work must stop immediately. If the bats do not voluntarily fly out, the aperture shall be carefully covered over to provide protection from the elements whilst leaving a small gap for the bat to escape should it so desire. The Bat Conservation Trust (08451 300228) or an appropriately qualified ecologist should be contacted immediately for further advice and any advice must be followed before any further demolition work takes place.

The Borough Council has worked positively and proactively with the applicant, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, based on seeking solutions to problems arising in relation to dealing with the planning application. This has been achieved by providing details of issues raised in consultation responses; requesting clarification, additional information or drawings in response to issues raised; and providing updates on the application's progress.