



# Report to Planning Committee

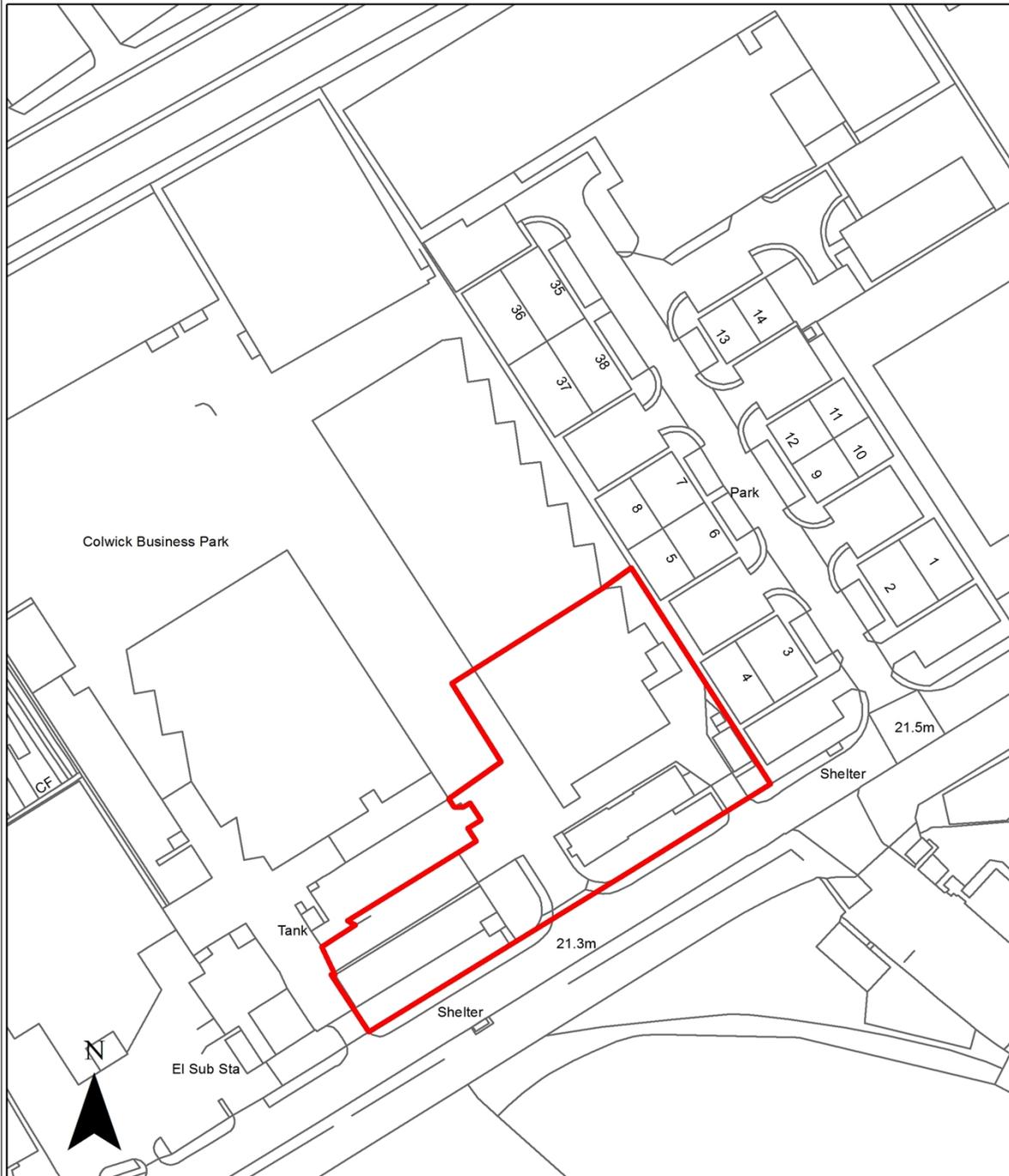
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Application Number 2017/0475

Location

Road No 2

Colwick, Nottinghamshire



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

<b>Application Number:</b>	2017/0475
<b>Location:</b>	Road No 2 Colwick Nottinghamshire NG4 2JR
<b>Proposal:</b>	Demolition of two existing two storey office buildings, partial demolition of existing block of light industrial/warehouse buildings. Construction of new 3 storey office buildings and associated parking and landscape works.
<b>Applicant:</b>	Radford Holdings Ltd
<b>Agent:</b>	PP Building Design Ltd
<b>Case Officer:</b>	David Gray

**1.0 Site Description**

- 1.1 The application site is located to the north of Private Road No. 2 within the Protected Employment Site of Colwick Industrial Estate, as indicated on the Proposals Map of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014). The premises are currently in use as Hillary's Blinds. The application site has an irregular shape with a site area of some 5,132 sq m (0.51 Hectares). The frontage of the site, facing on to Private Road No.2, measures some 116 metres. The main access to the site is located centrally on the frontage with a secondary access to the north eastern end splitting the site into two distinct areas.
- 1.2 The western part of the site is accommodated by a two-storey B1 office building. To the north of the office building there is macadam surfaced car parking area beyond which is the southern façade of an adjacent industrial building. The application site currently accommodates 39 existing off street car parking spaces.
- 1.3 The southern part of the eastern side of the site also contains a two-storey B1 office building similar in size to the one on the western side. There is an area of soft landscaping to the south of this building, fronting onto Private Road No.2.
- 1.4 To the north west of the site there are existing single storey and two storey industrial units within the Colwick Business Park. Land to the opposite of the site is also in industrial use.
- 1.5 Topographically the site remains relatively level throughout.

1.6 The site is in an area at risk of Flooding as identified on the RLP Proposals Map.

## **2.0 Relevant Planning History**

2.1 In July 2015 Full Planning Permission was granted for the demolition of existing two storey office buildings, partial demolition of light industrial / warehouse buildings. Construction of a new 3 storey B1 office building and associated parking and landscape works. Ref: 2014/1180.

## **3.0 Proposed Development**

3.1 This Section 73 application is seeking a variation of condition 2 (approved drawings) and the amendment of conditions 3 – 13 with respect to the additional details sought by conditions attached to planning permission 2014/1180.

3.2 The development relates to the demolition of two existing office buildings, partial demolition of light industrial / warehouse buildings. Construction of a new 3 storey office building with associated parking and landscaping works.

3.3 The proposed 3 storey office block would be sited to the northeast of the existing main site entrance. The maximum footprint dimensions of the office block would be some 56 metres x 33 metres.

3.4 The accommodation within the proposed office building would be distributed over three floors as follows:

- Ground Floor: 1,519 sq m
- First Floor: 1,519 sq m
- Second Floor: 1,519 sq m
- Total: 4,557 sq m

3.2 The amendments seek to replace the approved plans and drawings as follows: -

- The external cladding panels have been changed to Kingspan Microrib from Euroclad panels. The amendment seeks to soften the industrial appearance of the proposed building;
- The building height from ground floor to parapet of the roof is proposed to be reduced by 0.6 metres;
- On the Southwest and Southeast elevations within the ribbon windows, spandrel panels with glazing and insulation have been added, reducing the overall glazing helping to reduce heat loss;
- 1no. additional window to each floor on the Northeast elevation;
- The introduction of external lighting on the façade;
- The removal of rainwater good from the external elevations, these will now be internal;
- The car parking layout next to the small industrial unit has been altered and a car parking space relocated.
- The original curved entrance door which has now been squared to match the features of the remaining building;
- The additional of an external data centre.

3.3 A landscape plan has been submitted showing details of car parking storage and EV Charging points.

#### **4.0 Consultations**

4.1 Nottinghamshire County Council (Highway Authority) – This application relates to the external appearance and landscaping and does not impact on the highway.

4.2 Rights of Way Officer – The application may impact on Carlton Footpath No22, which runs alongside the southern boundary of the site. The Rights of Way Office would require that the availability of the footpath is not affected or obstructed in any way by the proposed development.

4.3 Environment Agency (EA) – No objection to variation of the FFL to be set no lower than 21.78 AOD as per the email from SR Architects to Gedling Borough.

4.4 Severn Trent Water – No objections received.

4.5 Public Protection (Scientific Officer) – Public Protection are satisfied with the contents and findings included within the Phase 1 Desk Study Report (Geodyne Ltd. Ref. D34084).

Verification of the gas protection measures confirmed by email on 16<sup>th</sup> May 2017 should be sought by condition (previous condition 7).

4.6 Health and Safety Executive – Using the HSE's Planning Advice for Developments near Hazardous Installations (PADHI+) standing advice software tool for use by Planning Authorities: The HSE 'DDA - Does Not Advise Against' the development.

4.7 Lead Local Flood Authority – Provided the development is provided in accordance with the Drainage Plans, no objections.

4.8 Neighbouring Properties were notified and Site Notice and 3 letters of representation were received as a result. The comments can be outlined as follows: -

- The scale and size of the 3 storey office building is not in keeping with the surrounding area;
- The building would not fit in with the streetscene;
- The current noise from Hillarys Blinds is already having a negative effect on the amenity of neighbouring residential properties due to the movement of skips and deliveries;
- The site is occasionally used illegally by car enthusiasts and it is considered that the development would be improved if gates were incorporated into the scheme;
- Should the development give rise to increase number of staff then this would increase traffic along Mile End Road;
- The new building would overshadow nearby residential properties;

- The height of the proposal would compromise the privacy of residents on Stratford Close and Crosslands Meadows.

## **5.0 Planning Considerations**

- 5.1 Section 73 of the Town and Country Planning Act 1990 allows applications to be made for permission to develop without complying with a condition(s) previously imposed on a planning permission. The local planning authority can grant such permission unconditionally or subject to different conditions, or they can refuse the application if it is decided that the original condition(s) should continue.
- 5.2 Where an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and un-amended.
- 5.3 The principle of the proposal has been previously approved and supported under planning approval 2014/1180. Therefore; the main planning considerations in the determination of this application are whether there are any adverse minor material amendments to:
- Visual impact of the development,
  - Impact on the amenity of residential properties,
  - Highway safety.
- 5.4 Also for consideration is whether the details submitted in relation to:
- Materials;
  - Landscaping;
  - Contamination;
  - Flood Risk Mitigation; and
  - Surface water run-off;
- are satisfactory for the discharge of the details required by the conditions attached to planning approval: 2014/1180.

## **6.0 Design**

- 6.1 Policy 10 of the Aligned Core Strategy requires all new development to be designed to make a positive contribution to the public realm and sense of place; create an attractive, safe, inclusive and healthy environment; reinforce valued local characteristics; be adaptable to meet evolving demands and the effects of climate change; and reflect the need to reduce the dominance of motor vehicles.
- 6.2 Replacement Local Plan Policy ENV1 (a) reflects this guidance requiring that proposals should be 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.
- 6.3 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.

- 6.4 I note the representation received with regards to the proposal being of a scale (3 Stories) that would dominate the area and the skyline.
- 6.5 I also note that the location of the development is within the existing Colwick Industrial Estate / Business Park and the surrounding area is defined by light industrial and storage and distribution premises varying in height from 1 to 2 stories. It should also be noted that the proposals would reduce the overall scale and massing of the previously approved building.
- 6.6 Whilst I note the representation received, it is my opinion that the proposed development is of a scale and design that would not overly dominate the area given the industrial setting of the site, the overall height of 13.8 metres, and the distance of over 100 metres to the rear boundary of the nearest neighbouring resident.
- 6.7 It is my opinion that the proposal sits well within the context of the existing business park and the design of the premises would create a gateway to an existing business park that would improve the character of the area. I consider that the development, with the materials proposed, represents a high standard of contemporary design that has taken into account the local surroundings. I also consider the mix of materials incorporating white insulated render and curtain walling would have a visual appearance that could have a positive influence on the surrounding area.
- 6.8 I am therefore of the opinion the proposed design and layout of the proposal does satisfy the guidelines set out in Policy 10 of the ACS and the guidelines contained within the NPPF. It is my view that that the new development would sit well within its context and the proposal has taken this opportunity to improve the character and quality of the area and the way it functions.
- 6.9 I note that the requirements of planning permission 2014/1180, conditions 12 and 13, required the submission of soft and hard landscaping works, to include hard surfacing materials, vehicle and pedestrian access and circulation details, bin store details, column lighting and bollard style luminaries to parking areas, planting plans, and a schedule of maintenance.
- 6.10 I have carefully considered the scheme of landscaping works submitted consisting of hard and soft landscaping, bicycle store, bin store and clearly defined pedestrian routes separated from vehicular routes. I am satisfied that landscaping scheme has been designed to ensure that there is a safe circulation for pedestrians and vehicles with clearly defined pedestrian and vehicle areas. I am also satisfied that the scheme accounts for all the requirements of the pre commencement conditions 12 and 13 attached to planning permission 2014/1180.
- 6.11 It is my opinion the proposed design and layout does satisfy the guidelines set out in Policy10 of the ACS and the guidelines contained within the NPPF. It is my view that the new development would sit well within its context and the

proposal has taken this opportunity to improve the character and quality of the area and the way it functions.

## **7.0 Impact on the amenity of neighbouring residents**

- 7.1 I note the representations received with regards to the potential undue impact on neighbouring residents in relation to overshadowing, overbearing and overlooking. It is my opinion given the substantial distance of over 100 metres to the nearest private residence; the proposed development would not result in any undue overlooking impacts on neighbouring residential amenity.
- 7.3 I note that the immediate adjoining premises are all light industrial buildings with few openings; I am therefore satisfied that the proposal would have no undue overbearing or overshadowing impact on the immediate vicinity. Given the scale, design and layout of the proposed development and the distances to neighbouring dwellings I am satisfied that the proposed development would have no undue impact on the amenity of neighbouring residents.
- 7.4 Given that it is considered the proposal would have no undue impact on the amenity of neighbouring residents the proposed development would accord with the requirements of policy E3 and policy ENV1 (b) which relate to protecting the amenity of adjoining development.

## **8.0 Flood Risk and Drainage**

- 8.1 I note that the site is located in an area at risk of flooding and that the Environment Agency has raised no objections to the submitted Flood Risk Assessment and Flood Mitigation measures. I also note that the Lead Local Flood Authority have indicated that the surface water drainage scheme is acceptable. I am therefore satisfied that the details required by pre commencement conditions 4 and 5 attached to planning permission 2014/1180 have been acceptably addressed and that these conditions can be varied for the development to be provided in accordance with these details.

## **9.0 Contamination and Health and Safety**

- 9.1 I note that the Health and Safety Executive 'do not advise against' the development and as such, I am satisfied that there would be no Health and Safety implications as a result of the development being within the Outer Zone (OZ) of the HSE consultation zone around the Total Oil Refinery Ltd Colwick Industrial Estate.
- 9.2 I note the comments from Public Protection and as such I am satisfied that the proposed development would not result in any adverse contamination risks and appropriate mitigation has been demonstrated. I do however acknowledge the requirement for a Verification report (that demonstrates the effectiveness of the remediation carried out) particularly in relation to gas protection measures should still be submitted to and approved in writing prior to occupation of the development.

## **10.0 Highway Implications and Parking Provision**

10.1 I note the comments from the Highway Authority that do not raise any specific objections to the proposed development in planning terms. The Highway Authority considers that the traffic movements may be managed by encouraging more sustainable forms of transport. It is also noted that public transport, cycling and pedestrian facilities are in close proximity to the application site. It is my opinion that the car movements can be managed adequately by implementing a Travel Plan including a Car Parking Management Plan. Should planning permission be forthcoming I would suggest attaching the advised condition relating to the Travel Plan in order to promote sustainable travel.

## **11.0 Meeting the challenge of climate change**

11.1 Paragraph 93 of the NPPF states that planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.

11.2 I note that, following correspondence with the Scientific Officer it was recommended that that scheme should incorporate provision for an EV (electrical vehicle) charging point. I also note that the proposed landscape scheme has included the provision of an EV point. I am satisfied that the proposed development has taken the opportunity to address the need to meeting climate change by providing sustainable transport options for employees in line with the requirements of Paragraph 93 of the NPPF.

## **12.0 Conclusion**

12.1 Having considered the 2014/1180 planning permission, and the additional information and proposals in the s.73 Application (ref: 2017/0475), I am satisfied that there are no material planning considerations which would prevent the variation of conditions to account for the minor amendments to the design of the office buildings / associated landscaping and the further details to satisfy the requirements of the previous planning conditions.

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

### **Conditions**

1. The development must be begun not later than three years beginning with the date of 23rd July 2015.
2. The development hereby approved shall be constructed in accordance with: Discharge of Conditions Document (16156/DOC/1701); Proposed Bin Store Details (161156-A-7011); Proposed Hard Landscaping Details (1611596-A-7008); Proposed North East and North West Elevations (16156-A-4011 Rev: P02); Proposed South East and South West Elevations (161156-A-4010 Rev: P02); Proposed Roof Plan (161156-A-3004 Rev: P02); Proposed Second Floor Plan (16156-A-3003 Rev: P02); Proposed First Floor Plan (161156-A-

3002 Rev: P02); Proposed Ground Floor Plan (161156-A-3001 Rev: P02); Proposed Sections A-A& B-B (161156-A-4003 Rev: P02); Proposed Site Plan (161156-A-2001 Rev: P04); Typical Details (Job no: E143; Drawing No: 5005 Rev P01); External Levels 1 of 2 (Job no: E143; Drawing No: 5003 Rev P02); External Levels 2 of 2 (Job no: E143; Drawing No: 5004 Rev P02); Drainage Levels 1 of 2 (Job no: E143; Drawing No: 5001 Rev P02); Drainage Levels 2 of 2 (Job no: E143; Drawing No: 5002 Rev P02); Drainage Strategy (Job no: E143; Drawing No: 5000 Rev P02); External Lighting Layout and EV Charging Point (C17010-E-010).

3. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and Emergency Plan (FRA), Document RHL/01, August 2014 compiled by Charnwood Property Consultants and Developers Ltd and also the Design and Access Statement entitled 'Proposed New Officers for Hillary's Blinds' Revision A, March 2015 compiled by Steve Riley Architect Ltd as revised by the emails dated 5th January 2016. Finished Floor Levels shall be 21.78 AOD with the provision of a flood resilient construction incorporated up to 0.68 metres above the floor level. Drawing No's: E143-CHG-00-XX-DR-003 and CBD Architects drawing no: 16156-A-4003.
4. The development shall be carried out strictly in accordance with the Contaminated Land Assessment (Geodyne ref. D34084: 28th March 2017).
5. Prior to occupation of any building(s) a Verification Report (that demonstrates the effectiveness of the gas membrane remediation to be carried out, as confirmed by email dated 16th May 2017) must be submitted and approved in writing by the Local Planning Authority.
6. No part of the development hereby permitted shall be more than 75% occupied before or until a Travel Plan including a Car Parking Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes which are acceptable to the local planning authority and shall include arrangements for monitoring of progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the Local Planning Authority.

## **Reasons**

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To reduce the risk of flooding to the proposed development and future occupants and to reduce the possible consequences of an imminent flood event in line with the requirements of paragraph 93 of the NPPF.
4. 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 Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

5. 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 Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
6. To promote sustainable travel

### **Reasons for Decision**

In the opinion of the Borough Council the proposed development would result in no significant impact on neighbouring premises or the area in general. The proposed development would represent sustainable development as identified in the NPPF. The proposal is acceptable from a highway safety viewpoint, raises no flood risk issues, health and safety issues or contamination issues. The works therefore accord with Policies E3 and ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Saved policies 2008) and Policies 1 (Climate Change), 4 (Employment Provision and Economic Development) and 10 (Design and Enhancing Local Identity) of the Gedling Borough Aligned Core Strategy (2014).

### **Notes to Applicant**

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).

I bring your attention to Carlton Footpath 22 which runs alongside the south eastern boundary and is the access road to the site. The availability of the footpath should not be affected or obstructed in any way by the proposed development at this location unless subject to appropriate diversion or closure orders. The Rights of Way Office should be consulted in any re-surfacing or proposed structure issues. Developers are also made aware of potential path users in the area who should not be impeded or endangered in any way.

For any new connection(s), into the public sewer or the reuse of an existing sewer connection(s), you will need to apply under Section 106 Water Industry Act 1991 as amended by the Water Act 2003. Severn Trent New Connection Team currently processes Section 106 applications and can be contacted on 0800 707 6600 for an application pack and guidance notes (or visit [www.stwater.co.uk](http://www.stwater.co.uk)). Applications to make such connections should be made separately from any application for adoption of the related sewers under Section 104 Water Industry Act 1991 as amended by the Water Act 2003.

Planning 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.

Advice regarding travel plans can be obtained from the Transport Strategy Section at Trent Bridge House, Fox Road, West Bridgford, Nottingham, NG2 6BJ, contact [transport.strategy@nottscc.gov.uk](mailto:transport.strategy@nottscc.gov.uk)

The development makes it necessary to alter the vehicular access arrangement over the footway of the private road no. 2. These works shall be constructed to the satisfaction of the owners of the road. You should therefore contact the owners as this is not highway maintained at public expense.