



Planning Report for 2017/0157

1:1,250

Location

72-74 Westdale Lane East,
Gedling, Nottinghamshire



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Report to Planning Committee

Application Number: 2017/0157

Location: 72 To 74 Westdale Lane East Gedling Nottinghamshire

Proposal: The erection of 10no 2 bedroom apartments

Applicant: Mahoney Estates Ltd.

Agent: Paul Gaughan Building Consultants Limited

Case Officer: Amy Cockayne

1.0 Site Description

- 1.1 The application site is located on the corner of Westdale Lane with Adbolton Avenue in the urban residential area of Gedling. The site was formerly an industrial building, which was demolished in approximately 2008. The site is currently fenced off with secure Heras style fencing and is not currently in use. The site is covered with hardstanding. The north-eastern boundary of the site adjoins 1 Adbolton Avenue and is delineated by a wall approximately 2.9m in height. The north-western boundary adjoins 76 Westdale Lane and the boundary is delineated by a wall and timber fencing between 2-3m in height. The south-east and south-west boundaries are delineated by a brick wall no greater than 1m height. There is existing vehicular access points from both Westdale Lane and Adbolton Avenue.
- 1.2 Levels on site rise towards to the north-east resulting in adjacent properties on Adbolton Avenue being at a higher ground level than that of the application site (no greater than 1m).
- 1.3 The Westdale Tavern pub (not currently trading) is situated opposite the site to the south-east. Residential properties in the locality are predominantly two storeys in nature, although there are bungalows fronting Adbolton Avenue to the north-east.

2.0 Relevant Planning History

- 2.1 Application reference 2006/0607 'Erect 15 one-bed apartments & associated works' was refused on 29th September 2006. An appeal against the decision was subsequently allowed and permission was granted.
- 2.2 Application reference 2010/0200 'Extend the time limit for implementation to Appn No 2006/0607' was granted Conditional Permission on 14th May 2010. This permission expired on 14th May 2013.

3.0 Proposed Development

- 3.1 Full permission is sought for the erection of a building comprising 10no self-contained apartments. A revised scheme was submitted to the Borough Council on 25th May 2017 reducing the height of the proposed development. The scheme was again revised on 13th July 2017, reducing the number of apartments from twelve to ten. The proposed apartments would all comprise of two bedrooms, open plan living area (lounge, dining and kitchen) and separate bathroom.
- 3.2 The building itself is proposed to be an 'L' shaped block fronting both Westdale Lane and Adbolton Avenue. The building would be set back from the boundary with the highway at Westdale Lane by approximately 12.8m. The building would be set back approximately 5.8m from the boundary with the highway at Adbolton Avenue. The corner aspect of the building at the junction of Westdale Lane and Adbolton Avenue would be three storeys, reducing to two storeys at the north-east and south-west where the development would adjoin existing residential properties. The roof design would be hipped with gabled features to the front elevation facing Westdale Lane.
- 3.3 There would be 12 car parking spaces within the site; 7 spaces accessed from Westdale Lane and 5 with direct access to Adbolton Avenue.
- 3.4 An area of private amenity space for residents is proposed to the rear of the building measuring approximately 125m² in area. Bin storage and a cycle stores are proposed to the northern boundary of the site, adjacent to the amenity space.

4.0 Consultations

- 4.1 Residents of neighbouring properties were notified via letter and a site notice posted near to the site for the original scheme in February 2017. 29 letters of representation objecting to the proposal were received, including 5 duplicate letters. Comments included;
- ☐ *Overbearing height*
 - ☐ *Highest building in the area*
 - ☐ *Existing on street parking problems in the locality and difficulty of vehicle manoeuvring*
 - ☐ *No car parking spaces on site for visitors*
 - ☐ *Access for emergency vehicles*
 - ☐ *Road safety – Adbolton Avenue junction is dangerous*
 - ☐ *Pedestrian safety*
 - ☐ *Layout of car parking spaces inadequate as there is insufficient on street parking*
 - ☐ *Overlooking/loss of privacy*
 - ☐ *Juliet balconies would have detrimental impact to neighbours*
 - ☐ *Overshadowing*
 - ☐ *Not in keeping with suburban residential area*

- ☐ *Three storeys would be out of scale*
- ☐ *Scheme is similar to previous application over 10 years ago which was not financially viable*
- ☐ *Town houses would be more viable*
- ☐ *Devaluation of property*
- ☐ *Position of bin store unsuitable - Amount of waste generated would cause smells and encourage vermin*
- ☐ *Lack of garden space proposed*
- ☐ *Increase in occupancy would result in more noise and more vehicles*
- ☐ *Main sewers on Westdale Lane cannot cope with heavy rain which would lead to local flooding*
- ☐ *The land is contaminated as it was previously used for industrial purposes*
- ☐ *Lack of disabled access to properties*
- ☐ *Intensive development, overdevelopment of site*
- ☐ *Would set precedent and result in terracing effect on Westdale Lane*
- ☐ *Lack of detail on plan for boiler flues and extraction units which would be intrusive*
- ☐ *Poor urban design, unimaginative*
- ☐ *Party wall and damage to property*
- ☐ *Poor landscaping proposed – external area dominated by parking*
- ☐ *Unknown redevelopment at Westdale Tavern*
- ☐ *Multiple schools in close proximity*
- ☐ *Advice in application that states “essentially resubmission of previous scheme” is misleading*

4.2 1 letter with supporting comments was received stating; would like to see the site developed as it is unsightly and brings the area down. Properties in this area are in demand.

4.3 Neighbours were re-consulted after a revised scheme was submitted in May 2017. A site notice was also posted near to the site. 14 letters of representation objecting to the development were received. Many comments reiterated those previously raised. New comments included;

- ☐ *Increase in parking and congestion*
- ☐ *Height is out of character with the area and is overbearing*
- ☐ *Overlooking to neighbouring properties*
- ☐ *Bin store would be located adjacent to shared boundaries with neighbouring properties*
- ☐ *Housing not needed in area with other sites being developed*
- ☐ *Saleability and value of house would decrease*
- ☐ *No more than 2 properties should be developed as address suggests*
- ☐ *The development would still be cramped*
- ☐ *Impact on highway from site access/egress to Westdale Lane and Adbolton Avenue*
- ☐ *Residential preferable to commercial development*
- ☐ *Reduction in height does not overcome parking concerns*

- 4.4 1 letter included supporting comments relating to residential development being preferable to commercial development at the site.
- 4.5 A second revised scheme was submitted to the Borough Council in July 2017. Neighbours were re-consulted. Eighteen letters of objection were received (5 duplicates). Comments at this stage restated previous reasons for objection, a summary of the comments relate to;
- ☐ *Parking provision would be inadequate to serve the development*
 - ☐ *Height is out of character with area and overbearing*
 - ☐ *Development would be overdevelopment of site*
 - ☐ *Out of character and scale*
 - ☐ *Loss of Privacy/Overlooking*
 - ☐ *Noise and disturbance from future residents of apartments*
- 4.6 Three letters of objection have been received from the elected ward member, stating;
- ☐ *Increase of on-street parking and congestion in locality*
 - ☐ *Over intensive development on site, cramped form of development with little imaginative use of the remaining space around building*
 - ☐ *Height would tower over neighbouring residential properties*
 - ☐ *Egress from site could cause poor visibility and obstruction of bus stop*
 - ☐ *Overlooking to neighbouring properties*
 - ☐ *Position of bin stores in close proximity to neighbouring properties (resulting in smells and noise)*
- 4.7 Member of Parliament –
- Forwarded a letter of objection from a constituent and neighbouring resident.
- 4.8 Nottinghamshire County Council (Highways Authority) –
- Raised no objections to the proposed ingress/egress arrangement and widened vehicular access, subject to conditions relating to; surfacing and provision of surface water run-off to parking/turning areas, delineation of parking bays, installation of dropped vehicular footways and reinstating redundant site accesses as footways.
- 4.9 Nottinghamshire County Council (Education) –
- Confirmed that no developer contributions in relation to education will be sought from the development.
- 4.10 Environment Agency –
- Advised there are no objections in principle, but recommends a condition relating to remediation strategy to deal with potential contamination risks be attached to any permission.

4.11 Community Infrastructure Levy Officer –

Advised the application site is within Residential Zone 1 which carries a zero charge for new development.

4.12 Severn Trent Water –

No comments have been received to date.

4.13 Nottinghamshire Police (Architectural Liaison Officer) –

No comments have been received to date.

4.14 Public Protection (Scientific Officer) –

Advised that as no desktop study/preliminary risk assessment has been submitted with the application, an appropriate condition should be attached to the decision if approved.

5.0 Assessment of Planning Considerations

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that: 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless other material considerations indicate otherwise'.

5.2 The most relevant national planning policy guidance in the determination of this application are contained within the National Planning Policy Framework (NPPF) (March 2012) and the additional information provided in the National Planning Practice Guidance (NPPG).

6.0 Development Plan Policies

6.1 The following policies are relevant to the application:

6.2 National Planning Policy Framework

- ☐ *Part 6 – Delivering a wide choice of quality homes*
- ☐ *Part 7 – Requiring good design*

6.3 Gedling Borough Council Aligned Core Strategy 2014

- ☐ *Policy 8 – Housing Size, Mix and Choice*
- ☐ *Policy 10 – Design and Enhancing Local Identity*
- ☐ *Policy 19 – Developer Contributions*

6.4 Gedling Borough Council Replacement Local Plan (Saved Policies 2008)

- ☐ *ENV1 – Development Criteria*
- ☐ *ENV3 – Development on Contaminated Land*
- ☐ *H7 – Residential Development on Unidentified Sites within the Urban Area and the Defined Village Envelopes*
- ☐ *T10 – Highway Design and Parking Guidelines*

6.5 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 weight as there are no unresolved objections:

- ☐ LPD 32: *Amenity (moderate weight)*
- ☐ LPD 35: *Safe, Accessible and Inclusive Development (limited weight)*
- ☐ LPD 37: *Housing Type, Size and Tenure (limited weight)*
- ☐ LPD 39: *Housing Development on Unallocated Sites (moderate weight)*
- ☐ LPD 57: *Parking Standards (limited weight)*
- ☐ LPD 61: *Highway Safety (moderate weight)*

6.6 The main planning considerations in the determination of this application are the principle of development, visual impact of the proposal on the character and appearance of the area, the impact upon the highway network and the impact on neighbouring residential properties.

7.0 Principle of Development

7.1 Planning permission was allowed on appeal for a three storey apartment development in 2007. Permission was subsequently granted to extend the time limit of the permission in 2010.

7.2 The NPPF attaches great importance to sustainable development. It states: *“Development that is sustainable should go ahead without delay – a presumption in favour of sustainable development that is the basis for every plan, and every decision”* (NPPF – ministerial foreword). This is further confirmed in paragraph 14 which states that – *“at the heart of the NPPF is a presumption of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking”*. One of the core principles of the NPPF is to support and deliver economic growth to ensure that the housing, business and other development needs of an area are met.

7.3 The GBACS sets out a housing target of 7,250 dwellings in Gedling Borough between 2011 and 2028 and requires 4,025 homes located within and adjoining the Nottingham built up area. In order to meet this target the GBACS adopts a strategy of urban concentration with regeneration. This means the following hierarchy will be used to identify sites:

- ☐ Within or on the edge of the built up area of Nottingham
- ☐ Adjacent to the sub regional centre of Hucknall
- ☐ Key villages (Bestwood, Calverton, and Ravenshead)
- ☐ Other villages.

7.4 The proposal is located within the defined urban area (built-up area) of Gedling and, as such, accords with the strategy of urban concentration set out in ACS Policy 2.

- 7.5 When referring to the NPPF the definition of brownfield land is 'previously developed land that which is or was occupied by permanent structure, including the curtilage of the developed land and any associated infrastructure'.
- 7.6 Saved Policy H7 of the Replacement Local Plan advises that planning permission would be granted for residential development within the urban area provided:-
- a. It is 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 contained in the Local Plan.
- 7.7 Whilst I am mindful that the principle of development for residential purposes has been established on this site through previous permissions, I am also satisfied that the proposed re-development of this site accords with the above Saved Policy H7 (subject to compliance with other policies). The site is currently unused, the previous industrial building having been demolished in 2008. Policy LPD 39 of the Local Planning Document for Gedling Borough echoes the above policy which also ensures that new housing development would not adversely affect the appearance of an area, result in undue impact to neighbouring residential properties and appropriate parking provision is made. This will be considered in more detail later in this report.
- 7.8 Policy 8 of the Aligned Core Strategy for Gedling Borough states that residential development should contribute to a mix of housing tenures, types and sizes to create sustainable, inclusive and mixed communities. I note that there are various types and styles of dwelling in the immediate locality and the creation of a further 10 apartments at this location would accord with the provisions of Policy 8 of the Aligned Core Strategy. This approach is echoed in the emerging Policy LPD 37.
- 7.9 Given the location of the development within the established urban residential area of Gedling and its former industrial use, and therefore brownfield land, there is no objection in principle to the redevelopment of the site for residential purposes. It is also my opinion that the development would be in a sustainable location delivering economic development that would provide a wider choice of homes to serve the local community. The development is therefore considered acceptable in principle.

8.0 Visual Impact

- 8.1 The revised scheme submitted to the Borough Council in July 2017 reduced the height of the proposed development to the north-eastern and north-western elevations which are in close proximity to the two storey dwellings at 1 Adbolton Avenue and 76 Westdale Lane. The proposed development would be two storey at these aspects, with the development also incorporating a three storey aspect at its corner near to the junction of Adbolton Avenue with

Westdale Lane. The building has been designed to mirror the existing building line of the adjacent properties. This would create an aesthetically interesting design as demonstrated on the submitted drawing showing the proposed street-scene, which would respect the character and form of existing buildings in the area, resulting in a satisfactory development in the locality. Due to these considerations, I am of the opinion that the scheme would have an acceptable design in terms of scale, bulk, form and layout.

- 8.2 I consider that relevant conditions relating to details of materials to be used in external elevations, landscaping, surfacing and boundary treatments should be submitted for approval by the Borough Council before development commences on site. This would ensure a satisfactory development in accordance with Policy 10 of the Aligned Core Strategy for Gedling Borough which seeks to ensure developments are designed to create attractive and safe environments.

9.0 Highway Safety and Parking

- 9.1 The Highway Authority has raised no objection in relation to the proposed development. There would be an in/out arrangement proposed from Westdale Lane which would ensure safe access and egress for both pedestrians and vehicle users from Westdale Lane. Five car parking spaces would be accessed from Adbolton Avenue.
- 9.2 Saved Policy ENV1 of the Replacement Local Plan states that development proposals should include adequate provisions for safe and convenient access and circulation of pedestrians and vehicles – particular attention shall be paid to the needs of cyclists and people with young children. I note that cycle stores have been included within the proposed scheme to encourage residents to use alternative modes of transport. Many comments have been received from neighbouring residents of the site with concerns in relation to the number of children and families walking to and from local schools past the site and the safety of the nearby junction and the manoeuvring of vehicles from the site, particularly onto Adbolton Avenue. No objections have however been raised by the Highway Authority.
- 9.3 Parking provision for the development would include allocated parking for the ten proposed apartments. Due to the reduction of the scheme for the originally proposed twelve apartments, there are now two unallocated spaces for use by the residents/visitors. Gedling Borough's Supplementary Planning Document: Parking Provision for Residential Development sets a requirement of 10 allocated spaces with 4 unallocated spaces for the proposed development. I consider the shortfall of 2no. car parking spaces to be acceptable due to the location of the site which is within walking distance of many shops and services and close to an existing, frequent bus service. It should also be noted that the Highways Authority has raised no objection to the parking provision. I therefore consider that in accordance with Saved Policy ENV1 and emerging LPD 61 of the Local Planning Document, the proposed development would not have an adverse impact on highway safety. I also consider that through the provision provided at the development, including the installation of a cycle store, the development would accord with the provisions of Policy 10 of the

Aligned Core Strategy which seeks to reflect the need to reduce the dominance of motor vehicles.

- 9.4 I consider that appropriate conditions should be attached to the permission to ensure a satisfactory development including; surfacing of parking and turning areas, installation of dropped vehicular footway crossings, making existing site accesses redundant and provision to prevent unregulated discharge of surface run-off water to be completed before development is brought into use.

10.0 Impact upon Residential Amenity

- 10.1 Emerging Policy LPD 32 of the Local Planning Document seeks to protect amenity of nearby residents and occupiers, with consideration of; overshadowing, overbearing, overlooking, noise, level of activity on site, traffic, visual amenity, pollution, impact on amenity space and impact on renewable energy generation.
- 10.2 Concerns have been raised relating the increased level on noise and traffic generated as a result of the development. Saved Policy ENV1 of the Replacement Local Plan states that planning permission will be granted for development provided it is in accordance with other Local Plan policies and the proposals meet relevant criteria including:- “it would not have a significant adverse effect on the amenities of adjoining occupiers or the locality in general, by reason of level of activities on site or the level of traffic generated.”
- 10.3 The site lies within an established residential area of Gedling. I am satisfied that the proposed development would not result in undue impact to neighbouring residential amenity by reason of increase of activity at the site and any impact is likely to be lower than if the site were to be redeveloped for employment purposes.
- 10.4 76 Westdale Lane and 1 Adbolton Avenue adjoin the boundaries of the site to the north-west and north-east respectively. It was considered that the original scheme had an overbearing impact which would result in detriment to the amenity of neighbours on Westdale Lane and Adbolton Avenue in particular. As such, discussions have taken place with the agent which has resulted in a reduction in the scale of the building to two storeys in close proximity to these dwellings to address this issue. The height of the building proposed has been designed to reflect those of the existing adjacent properties on Westdale Lane and Adbolton Avenue. This has been illustrated on a street-scene drawing submitted with the application. Furthermore, the building lines of the development also reflect the existing built form of adjacent dwellings. I am therefore of the opinion that there would be no undue overbearing or overshadowing impact to the detriment of residential amenity of neighbouring properties.
- 10.5 I consider there to be no undue overlooking impact to residential properties to the south of the application site as these properties are on the opposite side of Westdale Lane. The windows facilitating the apartments on the south-west and south-east elevations would overlook the public realm, specifically public highways. There are bathroom windows which would be obscurely glazed to the north-west and north-east side elevations facing the side elevations of 76

Westdale Lane and 1 Adbolton Avenue. A condition would be attached to the decision to ensure these windows are top-opening and obscure glazed, with no other windows to be created in these elevations without prior agreement with the Local Planning Authority. Windows to the rear elevation of the proposed development include Juliet balconies to the first floor apartments. This elevation would face the rear garden of 1 Adbolton Avenue with a separation distance of approximately 10m to the boundary. There is a wall to approximately 3m in height to this boundary which would help to screen the private amenity space of this existing property. A similar relationship would exist between the west facing rear elevation with 76 Westdale Lane. There is a distance of approximately 12m separating this elevation with the shared boundary. These distances are similar to those of the previously approved scheme and I consider that these distances are sufficient to form an acceptable relationship between the dwellings which would not result in any undue overlooking impact to the detriment of residents' privacy and amenity.

11.0 Other Matters

- 11.1 Concerns have been raised by local residents regarding the proposed position shown on the submitted plans for the Bin Store to the rear of the site. Although the bin store would be near to shared boundaries with other residential properties, there is an existing wall to a height of approximately 3m delineating the boundary and I consider that this would help to screen the store. If issues arise as a result of the positioning of waste storage, this would be covered by other legislation.
- 11.2 Public Protection (Scientific Officer) and the Environment Agency were also notified of the application. It has been advised that appropriate conditions be attached to the decision to ensure potential contamination risks are addressed before any development commences on site. This would ensure the development accords with the provisions of Saved Policy ENV3 of the Replacement Local Plan.

12.0 Conclusion

- 12.1 In conclusion, the development is considered acceptable for the following reasons:
- ☐ The principle of residential development is supported in policy.
 - ☐ The development would deliver local housing need, contributing significantly to Gedling's requirement to deliver 7,250 homes by 2028.
 - ☐ The development is located on brownfield land, avoiding / lessening the need for green belt release in order to deliver the Borough's housing needs, and forms a natural urban extension to Nottingham's urban boundary.
 - ☐ Residential amenity would not be significantly adversely affected
- 12.2 For the reasons set out above, the proposed development accords with Saved Policies ENV1 and H7 of the Gedling Borough Replacement Plan as well as the Parts 6 and 7 of the NPPF and Policies 8 and 10 of the Aligned Core Strategy. The development is also considered to accord with emerging

policies of the Local Planning Document Public Draft. It is therefore recommended that planning permission is granted subject to conditions

13.0 Recommendation: That the Borough Council GRANTS FULL PLANNING PERMISSION, subject to conditions

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. This permission shall be read in accordance with the following plans received by the Local Planning Authority on 13th July 2017: 'Proposed Site Layout' Drawing No. MT/MH/016/037/04 Revision A, 'Proposed Floor Layouts and Elevations' MT/MH/016/037/03 Revision C and MT/MH/016/037/03 Revision B, as well as the Site Location Plan received on 3rd February 2017. The development shall thereafter be undertaken in accordance with the approved plans unless otherwise agreed in writing by the Local Planning Authority.
3. Before development commences, samples of all materials to be used in external elevations of the development shall be first submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved materials unless otherwise agreed with the Local Planning Authority.
4. Before development commences, details of the means of enclosure of the site shall be first submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority.
5. Before the development is commenced there shall be submitted to and approved in writing by the Local Planning Authority details of the means of surfacing of the unbuilt portions of the site. The development shall thereafter be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority.
6. Before development commences, details of a landscape plan showing the position, type and planting size of all trees and shrubs proposed to be planted shall be first submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority.

7. No part of the development hereby permitted shall be brought into use until the parking/turning areas are provided and surfaced in a bound material with the parking bays clearly delineated in accordance with plan ref: MT/MH/016/037/04 Revision A. The parking/turning areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking/turning of vehicles.
8. No part of the development hereby permitted shall be brought into use until dropped vehicular footway crossings are available for the parking spaces accessed from Adbolton Avenue and for the accesses for the car parking area on Westdale Lane in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.
9. No part of the development hereby permitted shall be brought into use until the existing site accesses that has been made redundant as a consequence of this consent are permanently closed and the access crossing reinstated as footway in accordance with details to be first submitted to, and approved in writing by, the Local Planning Authority.
10. No part of the development hereby permitted shall be brought into use until the access driveway/parking areas are constructed with provision to prevent the unregulated discharge of surface water from the driveway/parking/turning area(s) to the public highway in accordance with details first submitted to and approved in writing by the Local Planning Authority. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
11. Prior to the commencement of the development hereby approved, excluding the demolition of the existing buildings, a written assessment of the nature and extent of any potential or actual contamination shall be submitted to and approved in writing by the Local Planning Authority. 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.
12. In the event that remediation is required to render the development suitable for use, a written remediation scheme and timetable of works shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall then be implemented in accordance with the approved details. Prior to the development being first occupied, a Verification Report (that satisfactorily demonstrates the effectiveness of the remediation carried out) must be submitted to and approved in writing by the Local Planning Authority.

13. 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 in accordance with the requirements of condition 11 above. 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.
14. Unless otherwise agreed by the Local Planning Authority, development shall not commence until a Dust Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The plan should be produced and carried out in accordance with 'The Control of Dust and Emissions from Construction and Demolition' (Best Practice Guidance).
15. Before the hereby approved development is first brought into use, details of the management arrangements for the maintenance of all areas of outdoor open space, including car parking areas, shall be submitted to and approved in writing by the Local Planning Authority. The approved management arrangements shall remain in situ for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.
16. The bathroom windows in the north-eastern and north-western elevations of the hereby approved development shall be so designed as to be top-opening only and glazed with obscure glass to a minimum of Pilkington Level 4 and thereafter be retained as such throughout the lifetime of the development. No further windows or openings shall be formed in any elevations 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 and to define the terms of this permission.
3. To ensure a satisfactory development in accordance with the aims of Policy 10 of the Gedling Borough Council Aligned Core Strategy (September 2014).
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6. To ensure a satisfactory development in accordance with the aims of Policy 10 of the Gedling Borough Council Aligned Core Strategy (September 2014).
7. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area and to reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.)
8. In the interests of Highway safety.
9. In the interests of Highway safety.
10. To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
11. To ensure that practicable and effective measures are taken to treat, contain or control any contamination, 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). Also to ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution in line with paragraph 109 of the National Planning Policy Framework.
12. To ensure that practicable and effective measures are taken to treat, contain or control any contamination, 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). Also to ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution in line with paragraph 109 of the National Planning Policy Framework.
13. To ensure that practicable and effective measures are taken to treat, contain or control any contamination, 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). Also to ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution in line with paragraph 109 of the National Planning Policy Framework.
14. To ensure a satisfactory development in accordance with the aims of Policy 10 of the Gedling Borough Council Aligned Core Strategy (September 2014).
15. To ensure a satisfactory development in accordance with the aims of Policy 10 of the Gedling Borough Council Aligned Core Strategy (September 2014).
16. To preserve the amenity and privacy of adjoining properties and to ensure a satisfactory development in accordance with the aims of Policy 10 of the Gedling Borough Council Aligned Core Strategy (September 2014).

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 not payable on the development hereby approved as the development type proposed is zero rated in this location.

The proposal makes it necessary to construct vehicular crossings and accesses over a footway of the public highway, together with reinstatement of redundant accesses. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Customer Services to arrange for these works on telephone 0300 500 80 80 to arrange for these works to be carried out.

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

The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework. Discussions have taken place during the consideration of the application to address adverse impacts identified by officers and/or address concerns raised in letters of representation submitted in connection with the proposal. The application for planning permission is subsequently approved subject to conditions.

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

The applicants 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 we might help decrease levels by incorporating mitigation measures into scheme design as standard. (See <http://www.gedling.gov.uk/planningbuildingcontrol/planningpolicy/emerginglocalplan/supplementaryplanningdocuments/>)We would also ask therefore, that the developer considers the commitment to incorporate provision for an EV (electric vehicle) charging point per dwelling; to allow future residents to charge electric/hybrid vehicles into the future. Reference can be made to guidance produced by IET 'Code of Practice for EV Charging Equipment Installation' for details of charging points and plugs specifications.