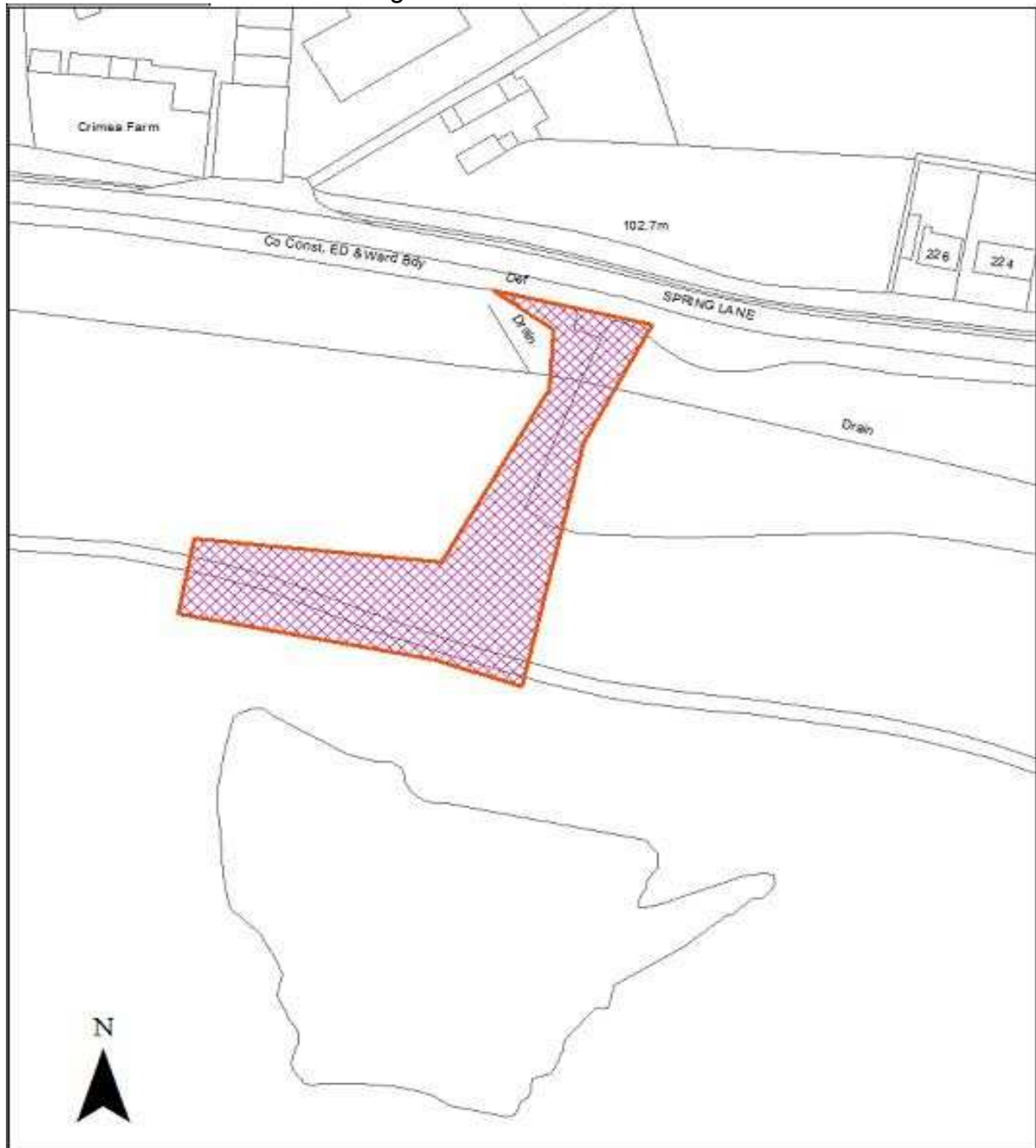




Application Number: 2013/0713

Location: Proposed Car Park, Spring Lane, Lambley,
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. Reproduced with the permission of the Controller of H.M.S.O. Crown Copyright No. LA 100021248. Unauthorised reproduction infringes Crown copyright and may lead to prosecution of civil proceedings.

Report to Planning Committee

Application Number: 2013/0713

Location: Proposed Car Park Spring Lane Lambley Nottinghamshire

Proposal: Creation of a new access road and car park with 40 spaces, including 3 No disabled spaces.

Applicant: Mr Melvyn Cryer

Agent: Miss Nancy Ashbridge

Site Description

The application site relates to a small parcel of land at the former Gedling Colliery site. The application site leads from Spring Lane and extends approximately 100 metres into the Gedling Colliery site. The application site consists mainly of grassland and woodland planting. Land slopes downwards away from Spring Lane into the site.

Relevant Planning History

Planning permission was granted in April 2013, reference 2012/1456, for the creation of a country park on the site for the use of local residents and visitors. The site provides mature woodland tree cover, existing tree planting, conservation grassland, amenity grassland and lagoons/open water areas. A car parking area to serve the country park was proposed from Spring lane and also from Arnold Lane, this was to provide a temporary access into the site.

Planning permission was granted in October 2013, reference 2012/1335, for the erection solar photovoltaic (PV) farm on part of the former Gedling Colliery site. Vehicular access to the site would be via the previously approved access into the Gedling Park from Spring lane, as approved under planning permission reference 2012/1456. An access road was proposed to lead from the proposed access point to the solar farm.

Proposed Development

Full planning permission is sought for the creation of a new access road and footpath from Spring Lane leading to a car park which would serve the country park as granted under planning permission reference 2012/1456.

The proposed access road into the site from Spring Lane would be in the same position as the access previously approved under planning permission 2012/1456

and a visibility splay would be provided to the proposed access.

The car parking area would be positioned to the west of the access road instead of to the east of the access road and would include 40 car parking spaces including 3 disabled spaces. Parking will also be provided for bicycles and motorcycles.

The number of car parking spaces remains the same as previously approved under planning permission reference 2012/1456.

A height restrictor barrier is proposed to be erected to the entrance into the site from Spring Lane. The entrance will be gated and it is proposed that the gate will be locked at dusk. The entrance will have flow restrictor plates in order for vehicles to exit the site when the gate is locked but vehicles will be unable to enter the site after this time.

Timber post and rail fencing at a height of 1.2 metres and knee rail fencing at a height of 0.5 metres are proposed to be erected adjacent to the access road, footpath and car parking area.

The submitted plans indicate potential locations for play areas and a visitor centre. These elements do not form part of this planning application and would therefore be considered separately should these elements be pursued at a later date.

Consultations

Nottinghamshire County Council Highway Authority – raise no objections to the proposal but suggest that the highway conditions attached to the previous planning permission for the country park, reference 2012/1456 are attached to any grant of planning permission.

Nottinghamshire County Council Landscape - The statutory consultation period for representations is until 11th November 2013 and any consultation responses will be reported verbally at Committee.

Nottinghamshire County Council Ecology – The statutory consultation period for representations is until 11th November 2013 and any consultation responses will be reported verbally at Committee.

Environment Agency – The statutory consultation period for representations is until 11th November 2013 and any consultation responses will be reported verbally at Committee.

Nottinghamshire Wildlife Trust – The statutory consultation period for representations is until 7th November 2013 and any consultation responses will be reported verbally at Committee.

Natural England – The statutory consultation period for representations is until 11th November 2013 and any consultation responses will be reported verbally at Committee.

Public Protection – No objections.

Arboricultural Officer – The statutory consultation period for representations is until 7th November 2013 and any consultation responses will be reported verbally at Committee.

Urban Design Officer – The statutory consultation period for representations is until 7th November 2013 and any consultation responses will be reported verbally at Committee.

Local residents have been notified by letter and a site notice has been posted - The statutory consultation period for representations is until 7th November 2013 and any consultation responses will be reported verbally at Committee.

Planning Considerations

The main considerations in the determination of this planning application are the impact of the proposal on neighbouring properties and the area in general. The impact of the proposed works on the site will also need to be assessed together with whether there are any highway safety implications arising from the proposal.

The following saved policies as set out in the Gedling Borough Council Replacement Local Plan (Certain Saved Policies 2008) are relevant in the determination of this planning application:

ENV1: Development Criteria

'Planning permission will be granted for development provided it is in accordance with other Local Plan policies and the proposals meet the following criteria:-

- a. 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;
- b. 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;
- c. development proposals are to include adequate provisions for the safe and convenient access and circulation of pedestrians and vehicles. In this regard, particular attention will be paid to the needs of disabled people, cyclists, pedestrians and people with young children;
- d. it incorporates crime prevention measures in the design and layout in terms of good lighting levels, natural surveillance, defensible space and well considered layouts and landscaping;
- e. it does not prejudice the comprehensive development of a development site, and

- f. it incorporates best practice in the protection and management of water resources.'

ENV44: Gedling Colliery Park

The Borough Council propose, through the Greenwood Community Forest Partnership, appropriate options for the provision of public open space at Gedling Colliery as shown on the Proposals Map.

The following core planning principles as set out within the National Planning Policy Framework 2012 are also relevant, these are set out below:

Section 7 relates to good design and attaches great importance to good design stating that it is a key aspect of sustainable development and it should contribute positively to making places better for people.

Section 8 relates to promoting healthy communities. It aims to promote meetings between members of the community, provide safe and accessible environments and high quality public open space, which encourage the active and continual use of public areas.

Section 11 relates to the conservation and enhancement of the natural environment. This aims to protect and enhance valued landscapes, minimise impacts on biodiversity and remediate and mitigate despoiled and contaminated land.

In addition the policies contained within the Gedling Borough Aligned Core Strategy are a material consideration in the determination of this application. The relevant policies are set out below:

Policy 10 relates to design and enhancing local identity. It aims for development to make a positive contribution to the public realm and create attractive, safe and healthy environments.

Policy 16 relates to green infrastructure, parks and open space. It aims to deliver, protect and enhance green infrastructure and in addition protect, conserve and enhance the landscape character.

Policy 17 relates to biodiversity. It aims to protect, restore and enhance existing areas of biodiversity interest and in addition endeavour to provide new biodiversity features.

Impact on surrounding area and Nearby Properties

I am mindful that the proposed access from Spring Lane remains in the same position as previously approved under application reference 2012/1456. I remain of the opinion that the use of this access together with the use of the car parking area will not result in a significant detrimental impact on neighbouring properties in terms of potential noise and activity.

Whilst I note that the access road and car parking area are proposed to be hard

surfaced I am satisfied that the extent of the hard surfaced areas in proportion to the overall site is minimal and will not detract from the open character of the site. I also note that there is significant landscaping around the car parking area which will screen the car parking area to an extent and soften the appearance of this hard surfaced area.

I note that a height restrictor barrier is proposed to the entrance to the site and I am satisfied that this is visually acceptable and will result in no significant impact on neighbouring properties or the area in general.

I also note that the times of access into the site will be restricted, the gates being proposed to be locked at dusk and flow restrictor plates located at the entrance into the site. I consider that this will restrict people accessing the site in vehicles at unsociable hours and this will therefore prevent disturbance to neighbouring properties or the area in general.

In respect to the proposed fencing to be erected to the boundaries of the access road and the car parking area I am satisfied given the positioning, height and materials of the proposed fencing there will be no undue impact on the country park or the area in general.

Impact on highway safety

I note that the Highway Authority has raised no objections to the proposal subject to conditions relating to the visibility splay being provided to the access to the site, the provision of the car parking area prior to vehicular access being provided into the site, the availability of the car parking spaces at all times, the surfacing of the access road and details of any flood lighting proposed to be erected. I therefore consider in light of these comments that there are no highway safety issues arising from the proposal. I would suggest however that the conditions suggested by the Highway Authority are attached to any grant of planning permission.

I am satisfied that the proposals do not affect the access to the solar farm as approved under planning permission reference 2012/1335.

Impact on Trees and Wildlife

Whilst no comments have been received to date from The Borough Council's Arboricultural Officer, the Arboricultural Officer was consulted in respect to the original application for the development of the site and no objections were raised to the proposal. As this access under this current application is in the same position as the access approved under the original application I am satisfied that the proposed access will result in no significant impact on the existing trees at the site.

I note that there are no trees within the footprint of the proposed car park location and I am therefore satisfied that no trees will be affected by the positioning of the car parking area.

I note that an Ecology Report has been submitted as part of the application and I am mindful that the Wildlife Trust in respect to the original application, 2012/1456, raised

no objections to the overall development of the site subject to the recommendations within the Ecology Report being adhered to. Whilst the comments of the Wildlife Trust have not been received to date and any comments received will be reported verbally, given the nature of this current proposal I am satisfied that there would be no undue impact as a result of the proposal on wildlife at the site provided the recommendations within the Ecology Report are adhered to.

I note from the submitted Design and Access Statement that some trees and scrub were removed from the site following the grant of the original permission for the development of the overall site and that these works were undertaken outside of the bird breeding season.

Land contamination

I note that the Borough Council's Scientific Officer has raised no objections to the proposal and I am therefore satisfied that there are no land contamination issues affecting the proposed access and car parking areas.

Car Park Security

In respect to security issues relating to the proposal I am satisfied given that the car parking area is located in close proximity to Spring Lane, will be visible from a large proportion of the country park and as mentioned above a security barrier and restrictor plates will be erected to the entrance to the site there will in my opinion be an adequate amount of security to the access and car parking areas proposed.

I consider however that the conditions and notes attached to the original permission for the overall development of the site which relate to security issues affecting the car parking and access point should be attached to this application should planning permission be granted.

In addition I consider that a condition should be attached to the permission relating to the opening hours for the use of the access and the car park, this in my opinion should reflect condition 24 attached to the original planning permission for the site 2012/1456 which controlled the opening hours of the entire country park.

Future Proposals for the Site

Whilst I note that the submitted plans highlight areas on the site for a potential visitor centre and play area I would advise that these elements do not form part of this application. Planning permission would be required for these elements and therefore should a formal planning application be submitted the proposals would be assessed on their own merit.

Accordingly, I recommend that planning permission be granted for the proposal.

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 this permission.
2. The development shall be undertaken in accordance with the details as set out within the planning application forms, the Design and Access Statement, the Preliminary Baseline/Feasibility Site Report October 2012, the Flood Risk assessment March 2013, the Drainage Strategy March 2013, the Ecology Report 2012 and drawing numbers LR/4017514/40, LR/4017514/42, LR/4017514/43, LR/4017514/12, LR/4017514/41, LR/4017514/09, LR/4017514/11A, LR/4017514/44 AND LR/401754/05.
3. Prior to the development first being brought into use there shall be submitted to and approved in writing by the Local Planning Authority details of the proposed parking area for cycles. The cycle parking area shall then be provided in accordance with these approved details before the development is first brought into use and the area retained thereafter for the parking of cycles at all times.
4. Before vehicular access is provided from the proposed access off Spring Lane a visibility splay of 3.5 metres by 160 metres shall be provided to the Spring Lane entrance into the site and shall be retained thereafter at all times.
5. Before public vehicular access is provided from the proposed access off Spring Lane the access road from Spring Lane including the proposed footways shall be completed and surfaced in a hard bound material (not loose gravel) for a minimum distance of 25 metres behind the highway boundary in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The surfaced access and footways shall then be maintained in such approved hard bound material for the life of the development.
6. Before public vehicular access is provided from the proposed access off Spring Lane the car parking area to be provided off the Spring Lane access shall be provided in accordance with drawing number LR/4017514/42 and the car parking spaces shall be kept available for parking in association with the development thereafter.
7. Prior to the proposed car parking/footpath areas relating to the proposed vehicular access off Spring Lane being first brought into use by the public there shall be submitted to and approved in writing by the Local Planning Authority precise details of any security/flood lighting proposed to be erected at the site. Once these details are approved the development shall be carried out in accordance with these approved details unless otherwise agreed in writing by the Local planning Authority.
8. The recommendations as set out within Section 4.1 of the Applied Ecology Report 2012 should be adhered to at all times during works being undertaken

at the site.

9. The vehicular access from Spring Lane shall not be used between the hours of 21.00 and 06.00 from 1st June to 30th September inclusive and shall not be used between the hours of 19.00 and 07.00 from 1st October to 31st May inclusive.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. In the interests of highway safety.
4. In the interests of highway safety.
5. In the interests of highway safety.
6. In the interests of highway safety.
7. In the interests of highway safety.
8. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
9. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

Reasons for Decision

The proposal results in no undue impact on neighbouring properties, the area in general and is acceptable from a highway safety viewpoint. The proposal therefore accords with policies ENV1, ENV44, policies contained within the National Planning Policy Framework 2012 and policies contained within the Aligned Core Strategy.

Notes to Applicant

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.

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.

It is suggested that consideration be given to crime reduction signage being displayed within the site in order to reduce crime within the area.

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.