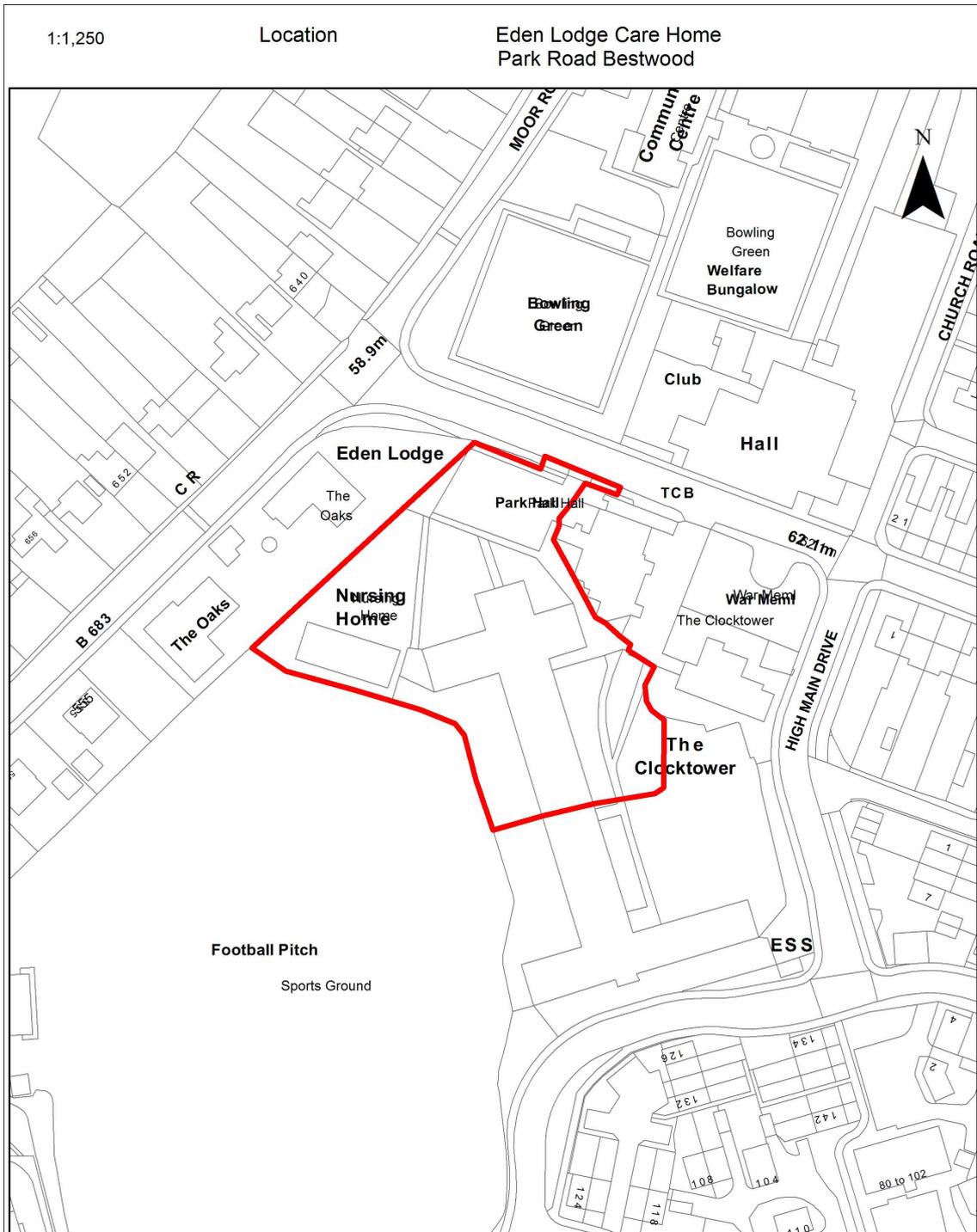


## Planning Report for 2018/0319



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**Report to Planning Committee**

<b>Application Number:</b>	<b>2018/0319</b>
<b>Location:</b>	<b>Eden Lodge Care Home, Park Road, Bestwood</b>
<b>Proposal:</b>	<b>Demolition of the existing Eden Lodge Care home facility and construction of 12 dwellings at Park Road Bestwood</b>
<b>Applicant:</b>	<b>Sai Om Limited</b>
<b>Agent:</b>	<b>RDA Consultant Architects LLP</b>
<b>Case Officer:</b>	<b>David Gray</b>

**1.0 Site Description**

- 1.1 The whole application site which contains the existing care home measures approximately 0.905ha and is located to the south of Park Road within Bestwood Village. To the east of the application site is the 'Clock tower Business Centre' and High Main Drive, to the west there are commercial premises and Moor Road, and to the south is a protected public open space.
- 1.2 The applicant intends to subdivide the site into 2 development areas, with both subject to separate planning applications. The site under consideration for this proposal equates to approximately 0.39ha.
- 1.3 The site is populated by a large single-storey care home building which extends from the car park fronting Moor Road back to High Main Drive. The rear elevation overlooks Bestwood Recreation Ground.
- 1.4 The application site is the south section of the wider site which adjoins the Sports Ground to the west, High Main Drive to the south and Bestwood Business Centre to the east. The north of the wider site is subject to a separate application for redevelopment (2018/0318).
- 1.5 The rear of the main single storey building is now unoccupied and there is a separate 2 storey building to the west of the site that is securely closed-off and unoccupied as a result of a recent conditions survey.
- 1.6 In close proximity to the application site, to the east, is the Clock Tower (formally the Bestwood Iron and Coal Company Offices) which is a notable

Victorian building dating from the 1870's. Whilst this building is not listed it can clearly be considered a heritage asset to the area.

- 1.7 There is a war memorial situated to the north of the Clock Tower which dates from 1920 which is Grade II Listed.

## **2.0 Relevant Planning History**

- 2.1 In 2003 (ref: 2003/1086) planning permission was granted to change the use of the existing two storey block into offices.
- 2.2 Outline Planning Permission (ref: 2018/0318) is under consideration, alongside this application, for the erection of a 64 Bedroom residential care home

## **3.0 Proposed Development**

- 3.1 Outline Planning Approval is sought for the demolition of the existing Eden Lodge Care Home and the construction of 10 no. 3 bedroom dwellings and 2 no. 4 bedroom dwellings, configured as 6 no. semi-detached units, with private gardens and off street car parking for residents. Matters relating to (i) Access, (ii) Layout, and (iii) Scale being sought for detailed approval and matters relating to (iv) Appearance and (vi) Landscaping being reserved for subsequent approval at reserved matters stage.
- 3.2 Layout is to be considered in detail at outline submission stage. A new cul-de-sac street is proposed via a new junction to High Main Drive to the south and turning head to the north. The carriage way is proposed to run north-south, allowing rear views from over half of the houses to be directed to the green open space of the recreation ground.
- 3.3 Scale is to be considered in detail at outline submission stage. The development represents traditional two storey dwellings with pitched roofs and would be in keeping with the scale of existing residential development in the area.
- 3.4 Access into the proposed development has been designed to an adoptable standard in accordance with the 6C's Design Guide including a turning head. Highway works with appropriate visibility splays are proposed which are to standard and suitable for this location.
- 3.5 2 off street car parking spaces are provided for each 3 bedroomed dwelling and 3 off street car parking spaces are allocated for each 4 bedroom dwelling.

## **4.0 Consultations**

- 4.1 Bestwood Parish Council – No comments received.
- 4.2 Nottinghamshire County Council (Highway Authority) – The Highway Authority is in receipt of revised/additional plans for the proposal which overcome the concerns which were raised as part of the previous correspondence. The comments regarding the proposed layout of the site are

made on the revised plan entitled 'Site Plan Housing Development', drawing no.2349 (08)104 C.

The Highway Authority is satisfied that all outstanding issues with regards to visibility splays, radius kerbs at the access point, refuse turning, car parking for plots 1 & 2 have been resolved. In view of this, the Highway Authority considers that the proposal is now satisfactory, and now has no objections subject to conditions relating to precise details of new road, provision of visibility splays, surfacing of parking and turning, surface water, and wheel washing facilities.

- 4.3 Nottinghamshire County Council (Lead Local Flood Authority) –  
Object in the absence of a surface water management scheme. Further comments will be provided on submission of this information.
- 4.4 NHS  
No requirement for s106 Health Contribution.
- 4.5 Arboricultural Officer  
No objections subject to conditions requiring all tree protection methods described within the tree survey / Arboricultural method statement submitted are adhered to.
- 4.6 Public Protection (Scientific Officer) –  
The application is supported by a Phase 1 Desk Top Report (Delta-Simons ref: 17-1419.01 22<sup>nd</sup> November 2017) covering both the residential and care home scheme. Public Protection are satisfied with the conclusion and recommendations for further assessment. Request standard contaminated land condition is attached to any approval.
- 4.7 Economic Development –  
The size of the development meets the threshold for an Employment Skills Strategy to be developed and implemented in accordance with the Construction Industry Training Board (CITB) and the National Skills Academy for Construction's "Client-Based Approach: Local Client Guidance for England" – to be implemented during the term of the build to deliver employment and training activities – including work experience, jobs, apprenticeships and training.
- 4.8 Housing Strategy  
The affordable housing supplementary guidance requires that 20% of dwellings are built as affordable units on sites 15+ dwellings in this housing sub market. The application does not meet this threshold.
- 4.9 Conservation Officer –  
No objections to the proposed demolition of the existing care home and support its redevelopment in principle. It is recommended a condition be placed onto any approval that would ensure the demolition does not take place until the approval of reserved matters and importantly a contract is let for the building of a replacement building. This would ensure that following demolition the site is not left in a poor condition/appearance for a lengthy period of time before any new building is erected.

This is an outline application and matters relating to design and landscaping would be addressed at reserved matters stage. It is considered that the proposal presents an opportunity to improve and enhance the site and views towards existing assets, notably the clock tower. No objections to the layout and scale of the proposed development; the development's context with the existing assets has been demonstrated within the layout and scale plans.

#### 4.10 NCC Education

No obligations are required towards education.

#### 4.11 Neighbouring Properties were notified and a Site Notice / Press Notice posted and 2 letters were received as a result. The comments can be outlined as follows: -

- Request that trees are protected as these are an integral part of the village landscape;
- Ensure soft landscaping would be in keeping with the village;
- The Design of the development would need to be sympathetic to the surrounding area;
- With more homes, concerns are raised on the impact on the village's limited amenities;
- Consideration should be given to the impact on the heritage assets (clock tower and memorial);
- Development works – access hours / hours of work as this would have an impact on the amenity of existing residents.

### **5.0 Assessment of Application and 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).

#### 5.3 National Planning Policies

The following parts of the NPPF are of relevance to the principle of this application:

- Part 6 (Building a strong, competitive economy);
- Part 8 (Promoting healthy and safe communities);
- Part 12 (Achieving well-designed places);
- Part 14 (Meeting the challenge of climate change, flooding and coastal change);
- Part 16 (Conserving and enhancing the historic environment).

#### 5.4 Development Plan Policies

On the 10<sup>th</sup> September 2014 Gedling Borough Council adopted the Gedling Borough Aligned Core Strategy (GBACS) which now forms part of the

development plan. It is considered that the following GBACS policies are relevant: -

- ACS Policy A (Sustainable Growth);
- ACS Policy 1 (Climate Change);
- ACS Policy 2 (The Spatial Strategy);
- ACS Policy 8 (Housing Size, Mix and Choice);
- ACS Policy 10 (Design and Enhancing Local Identity);

#### 5.7 Local Planning Document – Part 2 – Local Plan

In July 2018 Gedling Borough Council adopted the Local Planning Document Part 2. The following LPD policies are relevant to this application:

- Policy LPD4 – Surface Water;
- Policy LPD7 – Contaminated Land;
- Policy LPD10 – Pollution;
- Policy LPD11 – Air Quality;
- Policy LPD18 – Protecting and Enhancing Biodiversity;
- Policy LPD28 – Conservation Area;
- Policy LPD31 – Locally Important Heritage Assets;
- Policy LPD32 – Amenity;
- Policy LPD33 – Residential Density;
- Policy LPD35 – Safe, Accessible and Inclusive Development;
- Policy LPD37 – Housing Type, Size and Tenure;
- Policy LPD40 – Housing Developments on Unallocated Sites;
- Policy LPD48 – Local Labour Agreements;
- Policy LPD57 – Car Parking Standards;
- Policy LPD61 – Highway Safety.

5.8 In considering this application, regard has been given to the above legislation and policy and as a result it has been determined that the main planning considerations in relation to this application are as follows: -

- The principle of redeveloping the site;
- Highway implications, including parking provision and access;
- Layout and Scale of development;
- Impact on the amenities of neighbouring premises;
- The impact of the development on the Conservation Area and any Historic Assets;
- Flood risk and drainage;
- Contamination and health and safety;
- Other considerations.

#### 6.0 The principle of redeveloping the site;

6.1 At the heart of the NPPF is a ‘presumption in favour of sustainable development’ (paragraph 11). At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways; these are (a) an economic objective; (b) a social objective, and (c) an environmental objective.

- 6.2 The proposal is located within the established village envelope of Bestwood and, as such, accords with the strategy of urban concentration set out in ACS Policy 2 and therefore the principle of the residential redevelopment of the site is supported by this policy.
- 6.3 Policy LPD33 sets out the residential density requirements of at least 25 dwellings per hectare within or adjacent to Bestwood Village. The application proposes 12 dwellings on a site of 0.39 hectares equating to greater than 30 dwellings per hectare. As such, the proposed density would be above the minimum density required in this area and would therefore accord with LPD33.
- 6.4 Given the location of the development within the established village envelope of Bestwood Village there would be no objection in principle to the residential redevelopment of the site. 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 acceptable in principle subject to the detailed consideration of the following matters.

#### **7.0 Highway implications, including parking provision and access;**

- 7.1 I note the comments from the Highway Authority that do not raise any objections to the proposed development in planning terms subject to conditions requiring the parking and turning areas to be bound in a hard material.
- 7.2 When considering the car parking provisions the adopted Car Parking Provision for Residential Development Supplementary Planning Document (SPD) May 2012 and Policy LPD57. The proposed development is for 12 residential units within the village envelope of Bestwood with minimum allocated car parking of 2 spaces for 3 bed dwellings and 3 spaces for 4 bed dwellings. When referring to the Parking Provision for Residential developments allocated provision would result in additional demand of 3 unallocated spaces.
- 7.3 Whilst I note that the development would result in an under provision of unallocated car parking I do however note that each individual house has a minimum 2 off street car parking spaces. The central access drive that terminates at the spur of the cul-de-sac has been designed to adoptable standards and for a development of this size I consider adequate on-street car parking would be available to visitors to the site within the application site boundary without the need for overspill car parking on the adjoining High Main Drive.
- 7.4 I also note that the Highway Authority have been consulted and have not objected to the level of car parking provision or raised any highway safety implications. Should planning permission be forthcoming I would suggest attaching the conditions from the Highway Authority with regards to the parking/turning and servicing areas, the new access provision, and details to prevent the deposit of debris upon the public highway with reference to the amended plan.

## **8.0 Layout and Scale of development;**

- 8.1 Policy 10 of the ACS and Policy LPD35 require development to be of a high standard of design that is safe, accessible, and inclusive. The policies require regard to be given to the appearance of the surrounding area, the provision of safe and convenient access and circulation of pedestrians and vehicles, and should incorporate crime prevention measures in the design and layout in terms of good lighting levels, natural surveillance, defensible space, and well considered layouts and landscaping.
- 8.2 Matters relating to appearance and landscaping are being reserved for subsequent approval. This outline planning application has been submitted with matters relating to layout, scale and access to be considered in detail at this outline submission stage.
- 8.4 The immediate area to the south of the application site is defined by the recently completed residential development on High Main Drive which is a mixture 2, 3, and 4 bedroomed properties set over two floors. The proposal for 12 semi-detached 2 storey dwellings would match the immediate surrounding residential development. When considering the proposed layout and density of the development I am satisfied that it reflects the pattern of residential development in the immediate surrounding area.
- 8.5 I note that the layout shows that front facing development has been achieved along the primary access to the site and within the proposed cul-de-sac which allows for strong frontages to the public realm supporting natural surveillance and opportunities for landscaping.
- 8.6 Overall it is considered that an imaginative layout has been achieved on the site which suitably connects to the characteristics of the immediate surrounding area. Subject to the detailed design of the individual dwellings and landscaping at reserved matters stage I am satisfied that the layout accords with the broad aims of the NPPF, Policy 10 of the ACS, and Policy LPD35.

## **9.0 Impact on the amenities of neighbouring premises;**

- 9.1 Residential amenity considerations relevant to this proposal include the impact from the level of activity, overlooking, overshadowing, and overbearing impacts. Criterion f) of Policy 10 of the GBACS relates to the impact on the amenity of nearby residents. This is echoed within Policy LPD32 which states permission will be granted for development proposals that do not have a significant adverse impact on the amenity of nearby residents or occupiers.
- 9.2 The submitted layout plan illustrates that adequate garden depths have been achieved with rear elevations being a considerable distance from adjoining residents to ensure that there would be no undue overlooking, overbearing or overshadowing impact as a result of the development.
- 9.3 I note the comments received regarding the disturbance that could occur during construction. The nearest buildings that could be affected are those

within the Bestwood Business Centre and the properties on Highway Main Drive. In my view the impacts of the construction activities could be managed through a Construction Environmental Management Plan (CEMP) which would ensure that working hours, traffic management, control of pollution, waste management, noise, dust and vibration are all managed and controlled to acceptable standards. The CEMP and the requirements it needs to cover would be secured through condition.

- 9.4 Given that it is considered the proposal would have no undue impact on the amenity of nearby premises the proposed development would accord with the requirements of GBACS Policy 10 and Policy LPD32 which relate to protecting the amenity of adjoining development.

**10.0 The impact of the development on the Conservation Area and any Historic Assets;**

- 10.1 I note that the north of the site, in which the existing car park is located, is within the Conservation Area of Bestwood. I also note that there is a Grade II Listed war memorial and the Clock Tower (local interest building) in close proximity of the site.
- 10.2 The NPPF has a number of principles in Chapter 16 relating to the conservation of heritage assets in a manner appropriate to their significance. Paragraph 200 states that Local Planning Authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. LPD28 states that planning permission will not be granted for development proposals affecting the setting of Conservation Areas, if it adversely affects its significance including character, appearance of, or views into or out of Conservation Areas.
- 10.4 Paragraph 4.9 above highlights the observations of the Conservation Officer which states that the proposed development presents an opportunity to improve and enhance the site and views towards existing assets, notably the clock tower. No objections are raised in relation to the layout and scale of the proposed development; the development's context with the existing assets has been demonstrated within the layout and scale plans.
- 10.5 I have carefully considered the design and layout of the development. I also note the comments from the Conservation Officer where no objections are raised. I also note that the current care home is a long building that stretches the length of the application site which severs views from the south, at High Main Drive and the Public Open Space (Sports Ground). I note that the proposed layout would split the site and the existing built form creating new unrestricted views between the proposed care home and proposed housing towards the Conservation Area. A new vista along access drive through the proposed housing development would also be created. It is my opinion that the design and layout of the proposal would improve significant views to important assets from the public realm and would enhance or better reveal their significance.

- 10.6 In terms of impact upon the listed war memorial I consider that the proposed development will not harm the setting of the grade II listed war memorial.
- 10.7 I note the request for a condition to be attached requiring the demolition not to take place prior to the approval of reserved matters. I am satisfied that the standard reserved matters conditions would be required to be formally discharged prior to the commencement of development.
- 10.8 There is an indicative landscaping scheme including boundary treatments, the details of which appear sympathetic to the overall planned design of the area and setting of the Conservation Area. Overall, the impact of the proposed development upon the setting of the Conservation Area, the street scene along High Main Drive and the setting of local and designated heritage assets is such that the development will in my view enhance their appearance and setting, the locality and surrounding areas while providing a wider mixture of housing available for the local community. I therefore consider the proposal would accord with Chapter 16 of the NPPF and LPD28.

#### **11.0 Water resources, flood risk and drainage;**

- 11.1 I note the application site is Located within Flood Zone 1 and is therefore considered to have a low level risk of fluvial flooding. Given that the application site is not over 1 hectare and does impact on an area at risk at flooding or existing water causes the Environment Agency were not a statutory consultee on this application.
- 11.2 Policy LPD4 – Surface Water Management requires all development proposals to include measures to pro-actively manage surface water including the use of appropriate surface treatments and Sustainable Drainage Systems in order to minimise the risk of flooding on the development site without increasing flood risk elsewhere.
- 11.3 I note that the Lead Local Flood Authority were consulted and responded with an objection in the absence of surface water drainage plans. Given that the application is for outline planning permission with matters relating to landscaping reserved for future approval and the substantial nature of the development and the potential for increased surface water run-off as a result of the proposed development, I consider it appropriate, in line with the requirements of LPD4, to secure Surface Water Drainage plans by way of condition.
- 11.4 In my opinion, given the site is low risk of flooding and subject to acceptable surface water drainage plans being approved; the development is acceptable in terms of water resources, flood risk and drainage.

#### **12.0 Contamination and health and safety;**

- 12.1 The relevant planning policies which need to be considered in relation to land contamination and pollution are set out in Section 15 of the NPPF and LPD7, LPD10 and LPD11.

- 12.2 Section 15 of the NPPF as reinforced by local policy which requires development to contribute to and enhance the natural and local environment by preventing new development from contributing to or being put at unacceptable risk from levels of soil, air, water or noise pollution.
- 12.3 I note that Gedling Borough Public Protection have reviewed the phase 1 desk top contamination survey and have no objections in principle to the proposed development, but recommends the imposition of appropriate conditions to ensure that contamination is monitored and mitigated against. Subject to the condition it is my opinion, therefore, that the proposed development would accord with Section 15 of the NPPF and Policies LPD7 and LPD10.

### **13.0 Ecology / Trees**

- 13.1 The relevant planning policies that need to be considered in relation to ecological matters are set out in Section 15 of the NPPF, Policy 17 of the ACS and LPD18.
- 13.2 I note the comments from the NCC Ecology and the absence of a bat survey covering the demolition of the premises. Policy LPD18 (Protecting and Enhancing Biodiversity) sets out that development proposals affecting designated sites and priority habitats and species should only be permitted if there is no significant harm to the biodiversity site. Any harm should be avoided, and where this is not possible the impacts should be mitigated. The policy goes on to state that lastly, residual impacts should be compensated. Should planning permission be forthcoming I would attach a condition to any approval requiring a Bat Survey and Mitigation Strategy to be submitted with the reserved matters application prior to development commencing.
- 13.2 I note the representation received regarding the retention of trees and their positive impact on the visual amenity of the village. I also note that a Tree Survey, Arboricultural Method Statement and Tree Retention Plan were submitted with this application and the Arboricultural Officer has no objections subject to the details being adhered to. Should planning permission be forthcoming a condition relating to the measures required by the Tree Survey and Arboricultural Method Statement would be attached to any approval. I am satisfied that the details submitted illustrate how substantial trees would be retained and the visual amenity of the area would not be significantly adversely affected. I am also satisfied that during reserved matters application details of landscaping would be sought that would help assimilate the development in the surrounding area.
- 13.3 Subject to the details being sought to mitigate potential biodiversity impacts to bats and to secure the tree protection measures proposed, I consider that, on balance and taking into account the public benefits achieved as a result of the proposal, it would constitute sustainable form of development in accordance with Policy 17 of the ACS and LPD18.

### **14.0 Other considerations.**

- 14.1 I note the comments from Economic Development and that the proposal would be above the threshold for an Employment and Skills Strategy to be developed and Implemented in accordance with the CITB and the National Skills Academy for Construction Client-Based Approach; Local Client Guidance for England. Given the size and that no other s106 contributions are being sought, should planning permission be forthcoming, I would attach a condition to any approval requiring an Employment and Skills Plan to be agreed prior to the development first commencing.
- 14.2 I note the comments received with regards to the socio-economic impacts the development would have on the local area. I can confirm that all statutory bodies were consulted and the quantum of development gave rise to no obligations being sought towards health, education, affordable housing, or integrated transport.

## **15.0 Conclusion**

- 15.1 The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014) and, the Local Plan Part 2 where appropriate.
- 15.2 Given the considerations set out above, I consider that it has been demonstrated that, on balance, the planning impacts have been addressed and have therefore been made acceptable, or that such impacts are outweighed by the benefits of the scheme.

## **16.0 Recommendation: That the Borough Council GRANTS OUTLINE PLANNING PERMISSION with matters relating to Appearance and Landscaping for subsequent approval, and subject to the following conditions:**

### **Conditions**

- 1 Approval of the details of landscaping and appearance (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority before the commencement of any development.
- 2 Application for the approval of reserved matters must be made not later than three years from the date of the outline permission and the development to which this permission relates must be begun within two years from the date of final approval of reserved matters
- 3 The submission of all reserved matters and the implementation of the development shall be carried out in substantial accordance with the plans and documents received on the 23rd March 2018 and the revised plans received on 3rd May 2018: - Application Forms; Design and Access Statement; Boundary Treatments Site A + B (2349(08)011; House Type A Floor Plans (2349(08)106; House Type B Floor Plans (2349(08)107; House Type C Floor Plans (2349(08)108; Site B (Housing) Site Sections-Sheet 1 (2349(08)S03\_A); Site B (Housing) Site Sections-Sheet 2 (2349(08)S04); Street visualisation from High Main Drive looking north (2349(08)V01); Street visualisation from High Main Drive looking west (2349(08)V02); Street

visualisation from sports ground looking north (2349(08)V03); Aerial View 1 (2349(08)V07); Aerial View 2 (2349(08)V08); Aerial View 3 (2349(08)V09); Transport Statement (ADC1738-A); Arboricultural Survey Report and Method Statement (Nov 2017); Revised Location Plan (2349(02)L01\_B); Revised Existing Site Plan Constraints Housing Development (2349(08)101\_B); Revised Tree Retention and Protection Housing (2349(08)102\_B); Revised Proposed Site Plan and Block Plan (2349(08)103\_B); Revised Site Plan Housing Development (2349(08)104\_B).

- 4 No part of the development hereby permitted shall take place until details of the new road have been submitted to and approved in writing by the Local Planning Authority including longitudinal and cross sectional gradients, visibility splays, street lighting, drainage and outfall proposals, construction specification, provision of and diversion of utilities services, and any proposed structural works. The development shall be implemented in accordance with these details to the satisfaction of the Local Planning Authority.
- 5 No part of the development hereby permitted shall be brought into use until the visibility splays are provided in accordance with the approved plans. The area within the visibility splays referred to in this condition shall thereafter be kept free of all obstructions.
- 6 No part of the development hereby permitted shall be brought into use until all drives and parking areas are surfaced in a bound material (not loose gravel). The surfaced drives and parking areas shall then be maintained in such bound material for the life of the development.
- 7 No part of the development hereby permitted shall be brought into use until the access driveways and parking areas are constructed with provision to prevent the unregulated discharge of surface water from the driveways and parking areas to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
- 8 No development hereby permitted shall commence until wheel washing facilities have been installed on the site in accordance with details first submitted to and approved in writing by the LPA. The wheel washing facilities shall be maintained in working order at all times and shall be used by any vehicle carrying mud, dirt or other debris on its wheels before leaving the site so that no mud, dirt or other debris is discharged or carried on to a public road.
- 9 Before development is commenced on site there shall be submitted to and approved in writing by the Borough Council, details of a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The surface water drainage scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall be retained for the lifetime of the development.
- 10 The detailed plans and particulars to be submitted to the Local Planning Authority as reserved matters in relation to landscaping shall include: (a)

details of the size, species, positions and density of all trees and shrubs to be planted; (b) details of the boundary treatments, including those to individual plot boundaries; (c) the proposed means of surfacing access roads, car parking areas, roadways and the frontages of the premises such as driveways and footpaths to access doors and (d) a programme of implementation. The development shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

- 11 If within a period of five years beginning with the date of the planting of any tree or shrub, approved as reserved matters in relation to landscaping, that tree or shrub, or any tree or shrub 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 or shrub 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 Local Planning Authority.
- 12 Before development has commenced there shall be submitted to and approved in writing a Bat Scoping Survey and Mitigation Strategy for all buildings that are to be demolished. Once approved the development shall be carried out strictly in accordance with the approved Bat Scoping Survey and Method Statement.
- 13 Unless otherwise agreed by the Local Planning Authority, development must not commence until the following has been complied with: Site Characterisation: An assessment of the nature and extent of any potential contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include; a survey of the extent, scale and nature of contamination and; and assessment of the potential risks to: human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments. Submission of Remediation Scheme: Where required, a detailed remediation scheme (to bring the condition suitable for the intended use by removing unacceptable risks to critical receptors) should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures.
- 14 In the event that remediation identified in the Remediation Strategy is required to render the development suitable for use, the agreed remediation scheme shall be implemented in accordance with the approved timetable of works. Prior to occupation of any building(s) a Verification Report (that demonstrates the effectiveness of the remediation carried out) must be submitted and approved in writing by the Local Planning Authority.
- 15 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 Local Planning Authority and once the Local

Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An Assessment must be undertaken in accordance with the requirements above, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.

- 16 No development shall take place until a Construction Environmental Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period of the development. The Statement shall provide for: (i) the parking of vehicles of site operatives and visitors; (ii) loading and unloading of plant and materials; (iii) storage of plant and materials used in constructing the development; (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; (v) wheel washing facilities; (vi) measures to control the emission of dust and dirt during construction; (vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- 17 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 and the creation of new jobs in the local area. The Local Employment Agreement shall be implemented strictly in accordance with the approved details, unless otherwise prior agreed in writing by the Local Planning Authority.

## **Reasons**

- 1 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990. The application is expressed to be in outline only in accordance with Article 5 of the Town and Country Planning (Development Management Procedure)(England) Order 2015.
- 2 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
- 3 For the avoidance of doubt.
- 4 To ensure the development is constructed to adoptable standards.
- 5 To maintain the visibility splays throughout the life of the development and in the interests of general Highway safety.
- 6 To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc).
- 7 To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
- 8 In the interests of Highway safety.

- 9 To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures, in accordance with the National Planning Policy Framework and Policies 1 and 17 of the Aligned Core Strategy Submission Documents.
- 10 To ensure a satisfactory development and that the landscaping of the development as proposed at reserved matters stage accords with LPD35.
- 11 To ensure a satisfactory development and that the landscaping of the development as proposed at reserved matters stage accords with LPD35.
- 12 To ensure that practicable and effective measures are taken to protect bats and their roosts during the construction of the development in accordance with LPD18.
- 13 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 LPD7 and LPD10.
- 14 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 LPD7.
- 15 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 LPD7.
- 16 To protect the residential amenity of the area in accordance with the aims of Section 15 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy LPD32 (Amenity).
- 17 To seek to ensure that the development provides appropriate employment and training opportunities, in accordance with Policy 4 of the Aligned Core Strategy for Gedling Borough (September 2014) and LPD48.

### **Reasons for Decision**

The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014) and the Local Planning Document 2017, where appropriate. In the opinion of the Borough Council, the proposed development largely accords with the relevant policies of these frameworks and plans. Where the development conflicts with the Development Plan, it is the opinion of the Borough Council that other material considerations indicate that permission should be granted.

### **Notes to Applicant**

It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.

This consent will require approval under Section 19 of the Nottinghamshire County Council Act 1985 and where the new streets are to be adopted an Agreement pursuant to Section 38 of the Highways Act 1980 will be required. Please contact Nottinghamshire County Council to ensure that approvals and agreements are secured before commencement of works.

The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority. The new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks.

The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.

It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site.

Public sewers have statutory protection by virtue of the Water Industry Act 1991, as amended by the Water Act 2003, and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development. If you require further information, please contact Severn Trent Water on 0116 234 3834.

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.

Your 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 to decrease levels by incorporating mitigation measures into scheme design as standard. (see: <http://gedling.gov.uk/planningbuildingcontrol/planningpolicy/emerginglocalplan/supplementaryplanningdocuments/>). It is therefore requested commitment to incorporate provision for an EV (electrical vehicle) charging point per dwelling; to allow future residents to charge electrical/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.

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 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).

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018). Negotiations have taken place during the determination of the application to address adverse impacts identified by officers. Amendments have subsequently been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

The detailed surface water drainage scheme to be submitted shall: - require all flows to be attenuated to  $Q_{bar}$  for the entire site;- include provision for the entire site to be drained to the surface water drainage system with appropriate run-off coefficients or other factors used to represent the differing run off characteristics of the various parts of the site;- include an exceedance check using microdrainage software to simulate the drainage system for the 100year + 30% climate change event for a range of durations from 15 minutes to 24 hours to assess where the drainage system may flood. If this occurs, provision must be made for the accumulated volumes and flows to be directed to the surface water attenuation areas; - demonstrate that the surface water drainage system is designed in accordance with CIRIA C635 and C753, and the National SUDS Standards;- demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year plus climate change return periods;- confirm how on-site surface water drainage systems will be adopted and maintained in perpetuity to ensure long term operation at the designed parameters.

Date Recommended: 21st August 2018