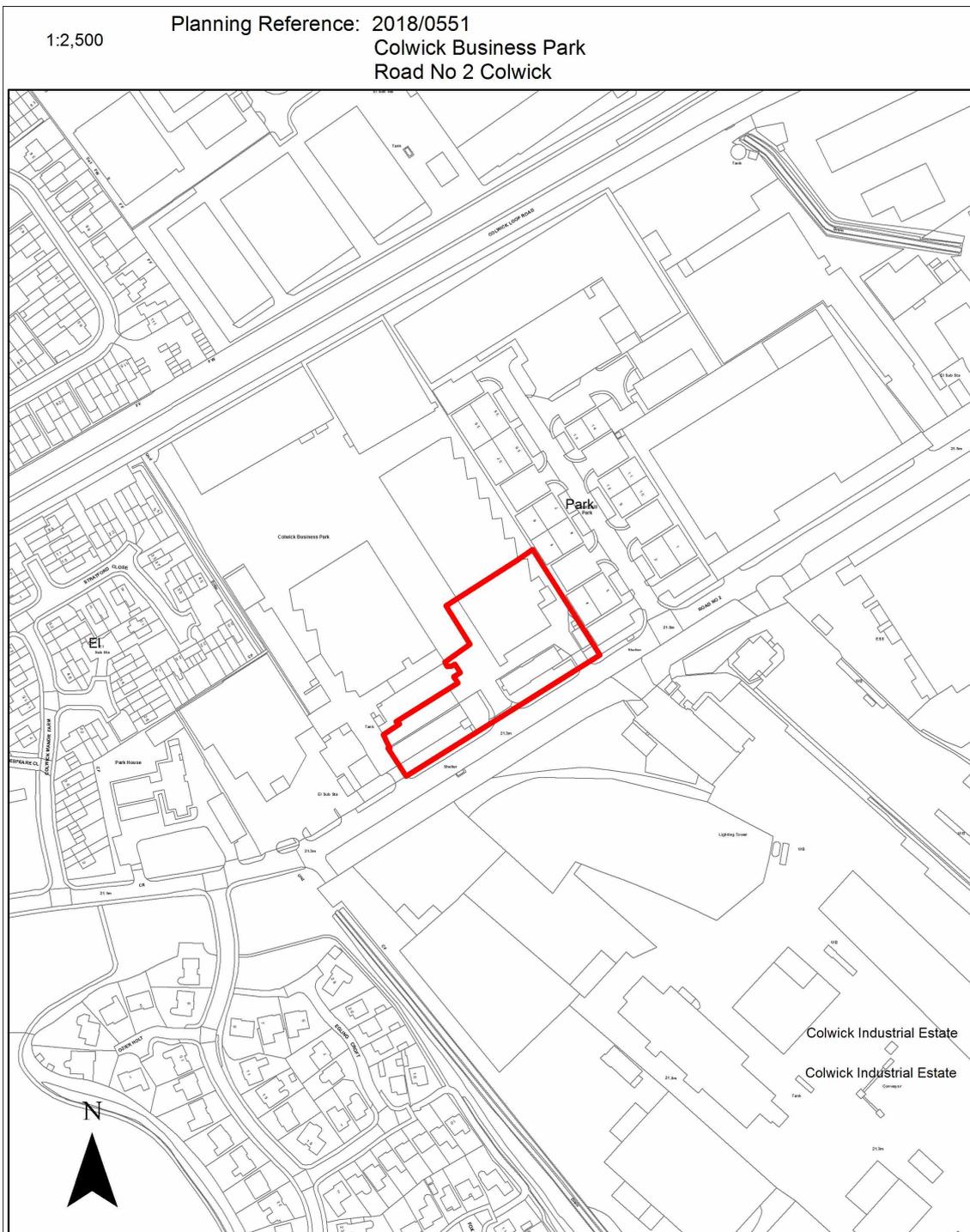




Planning Report for 2018/0551



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Report to Planning Committee

Application Number: 2018/0551

Location: Colwick Business Park Road No 2 Colwick

Proposal: Demolition of two existing two storey office buildings, partial demolition of existing block of light industrial/warehouse buildings. Construction of new three storey office building including roof plant screens and associated parking and landscape works.

Applicant: Radford Holdings Ltd

Agent: CBP Architects

Case Officer: David Gray

1.0 Site Description

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

- 1.5 Topographically the site remains relatively level throughout.
- 1.6 The site is in an area at risk of Flooding within Flood Zone 3 which is also indicated as an 'Area benefitting from flood defences'.

2.0 Relevant Planning History

- 2.1 In July 2015 Full Planning Permission was granted for the demolition of existing two storey office buildings, partial demolition of light industrial / warehouse buildings. Construction of a new 3 storey B1 office building and associated parking and landscape works. Ref: 2014/1180.
- 2.2 In June 2017 a Section 73 application was approved amending the originally approved scheme in relation to external materials and elevations, building height from ground level, external lighting, removal of rainwater goods, car parking layout, and the addition of an external data centre. Ref: 2017/0475

3.0 Proposed Development

- 3.1 Full Planning Permission is sought for the demolition of two existing two storey office buildings, partial demolition of light industrial / warehouse buildings. Construction of a new 3 storey B1 office building and associated parking and landscape works.
- 3.2 The proposed 3 storey office block would be sited to the northeast of the existing main site entrance. The maximum footprint dimensions of the office block would be approximately 56 metres x 33 metres.
- 3.3 The accommodation within the proposed office building would be distributed over three floors as follows:
- Ground Floor: 1,519 sq m
 - First Floor: 1,519 sq m
 - Second Floor: 1,519 sq m
 - Total: 4,557 sq m
- 3.5 The overall height of the main building from ground level would be approximately 16 metres.
- 3.6 The proposed development indicates an increase in off street car parking provision from 39 spaces to 88 spaces.
- 3.7 A Design and Access Statement, Phase 1 Contamination Assessment, Flood Risk Assessment, and Transport Assessment have all been submitted to accompany the application.
- 3.8 The three main materials proposed for the development would be render, horizontal metal cladding, and glass.
- 3.9 A landscape plan has been submitted showing details of car parking, storage and EV Charging points.

4.0 Consultations

4.1 Nottinghamshire County Council (Highway Authority) –

The proposed development is located on Private Road No. 2 which is not adopted or maintained at public expense and any works that are necessary particularly to provide a one way access arrangement to the North West of the frontage into the site will need to be undertaken in agreement with the owners of the road.

Car Parking for the development is in excess of current maximum parking standards for this size of B1 usage, however, due to the majority of the office comprising of call-centre staff, who utilise less space than normal office layouts, it is considered that the 88 space provision for car parking is acceptable.

Regarding traffic movements, it is anticipated that the development will result in a maximum peak hour increase of traffic which exceeds the Transport Assessment Guidance, however, routes to the East may be alleviated through a new additional route through, as a result of a recently committed development. Overall, these traffic movements may be managed by encouraging more sustainable forms of transport. Public transport, cycling and pedestrian facilities are in close proximity to the proposal and should be encouraged further, by way of a Travel Plan, which should include a car parking Management Plan to ensure that on-site demand is managed to an appropriate level.

Should planning permission be forthcoming I would suggest attaching the recommended planning conditions in relation to the submission of a Travel Plan and the provision of the Cycle Parking Layout before occupation.

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

4.3 Environment Agency (EA) –

Do not object to the proposal as an Acceptable Flood Risk Assessment (FRA) has been submitted. The submitted FRA provides a suitable basis for assessment to be made of the flood risks arising from the proposed development.

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

Verification of the gas protection measures confirmed by email on 16th May 2017 should be sought by condition.

Consideration should be given to the inclusion of EV (Electrical Vehicle Points).

- 4.5 Health and Safety Executive – Using the HSE’s Planning Advice for Developments near Hazardous Installations (PADHI+) standing advice software tool for use by Planning Authorities: The HSE ‘DDA - Does Not Advise Against’ the development.
- 4.6 Lead Local Flood Authority – Provided the development is provided in accordance with the Drainage Plans, no objections.
- 4.7 Economic Development – The size of the development meets the threshold for an Employment and Skills Strategy to be developed to be implemented during the term of the build.
- 4.8 Neighbouring Properties were notified and a Site Notice / Press Notice posted and no letters of representation were received as a result.
- 5.0 Assessment of Application and Planning Considerations
- 5.1 The principle of the proposal has been previously approved and supported under planning approval 2014/1180 and Section 73 application 2017/0475 which have now lapsed.
- 5.2 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’.
- 5.3 The most relevant national planning policy guidance in the determination of this application are contained within the National Planning Policy Framework (NPPF) (July 2018) and additional information provided in the National Planning Practise Guidance (NPPG).
- 5.4 The following paragraphs of the NPPF are of relevance to the principle of this application: -
- Part 4 (Decision-making);
 - Part 6 (Building a strong, competitive economy);
 - Part 7 (Ensuring the vitality of town centres);
 - Part 12 (Achieving well-designed places);
 - Part 14 (Meeting the challenge of climate change, flooding and coastal change).
- 5.5 On 10th 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:-
- Policy 1 (Climate Change)
 - Policy 4 (Employment Provision and Economic Development);
 - Policy 10 (Design and Enhancing Local Identity).

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

- LPD 3 – Managing Flood Risk
- LPD 4 – Surface Water Management
- LPD 5 – Managing Water Quality
- LPD 7 – Contaminated Land
- LPD 10 – Pollution
- LPD 11 – Air Quality
- LPD 32 – Amenity
- LPD 35 – Safe, Accessible and Inclusive Development
- LPD 44 - Retention of Employment and Employment Uses
- LPD 48 – Local Labour Agreements

5.7 In making a recommendation in relation to 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: -

- The principle of the redevelopment of the site;
- Highway implications including parking provision;
- Design;
- Impact on the amenities of neighbouring residents;
- Flood Risk and Drainage;
- Contamination and Health and Safety;
- Meeting the challenge of climate change;
- Other considerations.

5.8 Also for consideration are the details submitted in relation to: -

- Materials;
- Landscaping;
- Contamination;
- Flood Risk Mitigation; and
- Surface water run-off.

6.0 The principle of the redevelopment of the site

6.1 At the heart of the NPPF is a 'presumption in favour of sustainable development' which is described as a golden thread running through decision taking. Three dimensions to sustainable development are identified which are economic, social and environmental.

6.2 Part 6 of the NPPF sets out that the Government is committed to securing economic growth and that the planning system should support growth and not act as an impediment.

6.3 LPD Policy 44 is relevant to this application and states inter-alia: -

'Planning permission will be granted for the expansion, conversion or redevelopment of land and premises for employment uses on allocated employment sites' provided they are within B1 – B8 uses, would not impact on the amenity of nearby residents or occupants and would not be detrimental to highway safety.

- 6.4 The proposed site falls within the Colwick Industrial Estate as defined on the proposals map therefore LPD44 is relevant to this application and there are no limitations in place in respect to the redevelopment of the site for B1 Office use which would be supported in the protected employment area of Colwick provided it does not impact on highway safety, neighbouring amenity, or heritage assets.
- 6.5 I note that the application site is already in use for light industrial and office space and the proposal would be for the redevelopment of brownfield land to provide a new office complex for an existing business. Given the site is allocated for employment uses on the Proposals Map and the proposal would result in the expansion of an existing business premises the principle of the office redevelopment is acceptable subject to the detailed consideration of the following matters.

7.0 Highway Implications and Parking Provision

- 7.1 I note the comments from the Highway Authority that do not raise any objections to the proposed development in planning terms. The Highway Authority considers that the traffic movements may be managed by encouraging more sustainable forms of transport. It is also noted that public transport, cycling and pedestrian facilities are in close proximity to the application site. It is my opinion that the car movements can be managed adequately by implementing a Travel Plan including a Car Parking Management Plan. Planning conditions relating to the Travel Plan in order to promote sustainable travel would be attached to any decision.
- 7.2 I concur with the comments from the Highway Authority that a satisfactory development can be achieved by implementing an efficient transport plan and car parking plan.
- 7.3 I note that the submitted Landscape Plan and precise Cycle Store details and I are satisfied that this provision meets the requirement of LPD35 promoting sustainable travel.

8.0 Design

- 8.1 Policy 10 of the Aligned Core Strategy requires all new development to be designed to make a positive contribution to the public realm and sense of place; create an attractive, safe, inclusive and healthy environment; reinforce valued local characteristics; be adaptable to meet evolving demands and the effects of climate change; and reflect the need to reduce the dominance of motor vehicles.
- 8.2 Part 12 of the NPPF states that planning decisions should aim to ensure that developments will function well and add to the overall quality of the area; respond to local character and history; and is visually attractive as a result of good architecture and appropriate landscaping.
- 8.3 I also note that the location of the development is within the existing Colwick Industrial Estate / Business Park and the surrounding area is defined by light

industrial and storage and distribution premises varying in height from 1 to 2 stories.

- 8.6 It is my opinion that the proposed development is of a scale and design that would not overly dominate the area given the industrial setting of the site, the overall height of approximately 16.0 metres, and the distance of over 100 metres to the rear boundary of the nearest neighbouring resident.
- 8.7 It is my opinion that the proposal sits well within the context of the existing business park and the design of the premises would create a gateway to an existing business park that would improve the character of the area. I consider that the development, with the materials proposed, represents a high standard of contemporary design that has taken into account the local surroundings. I also consider the mix of materials incorporating white insulated render and curtain walling would have a visual appearance that could have a positive influence on the surrounding area.
- 8.8 I am therefore of the opinion the proposed design and layout of the proposal does satisfy the guidelines set out in Policy 10 of the ACS and the guidelines contained within the NPPF. It is my view that the new development would sit well within its context and the proposal has taken this opportunity to improve the character and quality of the area and the way it functions.
- 8.9 I note that the requirements of planning permission 2014/1180, conditions 12 and 13, required the submission of soft and hard landscaping works, to include hard surfacing materials, vehicle and pedestrian access and circulation details, bin store details, column lighting and bollard style luminaries to parking areas, planting plans, and a schedule of maintenance.
- 8.10 I have carefully considered the scheme of landscaping works submitted with the application consisting of hard and soft landscaping, bicycle store, bin store and clearly defined pedestrian routes separated from vehicular routes. I am satisfied that landscaping scheme has been designed to ensure that there is a safe circulation for pedestrians and vehicles with clearly defined pedestrian and vehicle areas. I am also satisfied that the scheme accounts for all the requirements of the pre commencement conditions 12 and 13 attached to planning permission 2014/1180 as approved under 2017/0475.
- 8.11 It is my opinion the proposed design and layout of the proposal does satisfy the guidelines set out in Policy 10 of the ACS and the guidelines contained within the NPPF. It is my view that that the new development would sit well within its context and the proposal has taken this opportunity to improve the character and quality of the area and the way it functions.

9.0 Impact on the amenities of neighbouring residents

- 9.1 I note the previous representation received in respect of planning application 2014/1180 with regards to the potential overlooking impact from the side elevation windows of the proposed premises. It is my opinion given the substantial distance of over 100 metres to the nearest private residence; the proposed development would not result in any undue overlooking impacts on neighbouring residential amenity.

- 9.2 I note that the immediate adjoining premises are all light industrial buildings with few openings; I am therefore satisfied that the proposal would have no undue overbearing or overshadowing impact on the immediate vicinity. Given the scale, design and layout of the proposed development and the distances to neighbouring dwellings I am satisfied that the proposed development would have no undue impact on the amenity of neighbouring residents. No representations from neighbouring residents have been received in respect of this application.
- 9.3 Given that it is considered the proposal would have no undue impact on the amenity of nearby neighbouring residents the proposed development would accord with the requirements of policy LPD32 which relate to protecting the amenity of adjoining development.

10.0 Flood Risk and Drainage

- 10.1 I note that the site is located in an area at risk of flooding and that the Environment Agency has removed their objections to the submitted Flood Risk Assessment (FRA) and Flood Mitigation measures following receipt of the updated FRA in August.
- 10.2 I also note that the Lead Local Flood Authority have indicated that the surface water drainage scheme is acceptable.
- 10.3 I am therefore satisfied that the development is in accordance with GBACS Policy 1, LPD3 and LPD4.

11.0 Contamination and Health and Safety

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

12.0 Meeting the challenge of climate change

- 12.1 Part 14 of the NPPF states that planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.

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

13.0 Other Considerations

13.1 I note the comments from the Rights of Way Officer with regards to Carlton Footpath no.22 (aka No 2), which runs alongside the south eastern boundary and is the access road to the site. The Right of Way is the public footpath that runs in front of the application site. Should planning permission be forthcoming I would suggest attaching an informative to any approval to require that the availability of the footpath(s) is not affected or obstructed in any way by the proposed development at this location unless subject to appropriate diversion or closure orders.

13.2 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. I would attach a condition to any approval requiring an Employment and Skills Plan to be agreed prior to the development first commencing.

14.0 Conclusion

14.1 The development has been considered in accordance with the National Planning Policy Framework, the Planning Practise Guidance, the Aligned Core Strategy for Gedling Borough (September 2014) and the Gedling Borough Local Planning Document (July 2018) where appropriate.

14.2 In my opinion, the proposed development accords with the relevant policies of these frameworks and plans, and that planning permission should be granted.

15.0 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 hereby approved shall be constructed in accordance with the plans and documents received on 5th June 2018 drawing no's: Drainage Strategy (E143_5000_p02); Drainage Layout Sheet 1 of 2 (E143_5001_P03); Drainage Layout Sheet 2 of 2 (E143_5002_p03); External Levels Sheet 1 of 2 (E143_5003_P02); External Levels Sheet 2 of 2 (E143_5004_P02); Manhole Schedules (E143_5006_P01); Typical Details (E143_5005_P01); Proposed

Section AA (16156-A-4003); Proposed NE and NW Planning Elevations (16156-A-4011); Foundation and Ground Floor Slab Sections (E143-CHG-Z1-00-DR-S-0003); Proposed SE and SW Planning Elevations (16156-A-4010_p03); Bin Store Details (16156-A-7011); Design and Access Statement June 2018; Contamination Assessment; Proposed Hard Landscaping Details (16156-A-7008 - P02); External Lighting Layout and EV Charging Point (C17010-E-010); Proposed Site Plan (16156-A-2001 - P07); Proposed Roof Plan (16156-A-3004_P04); Demolition Plan (16156-A-1000); Proposed Second Floor Plan (16156-A-3003); Proposed First Floor Plan (16156-A-3002); Proposed Ground Floor Plan (16156-A-3001); Existing Site Plan (16156-A-1001_p03); Transport Assessment March 2015; and External Material Finishes.

- 3 The development hereby approved shall be carried out in accordance with the approved Flood Risk Assessment (FRA) Rev B 17/08/18 Encon Associates Limited and the following mitigation measures detailed within the FRA: 1) Finished floor levels are set no lower than 21.78m above Ordnance Datum (AOD). 2) Flood resilience measures are implemented to at least 22.31m AOD as detailed in the FRA.
- 4 The development shall be carried out strictly in accordance with the Contaminated Land Assessment (Geodyne ref. 2017.03.28-D34084 Geodyne - Contamination Assessment).
- 5 Prior to occupation of any building(s) a Verification Report (that demonstrates the effectiveness of the gas membrane remediation to be carried out, as confirmed by email dated 22nd June 2018) must be submitted and approved in writing by the Local Planning Authority.
- 6 No part of the development hereby permitted shall be more than 75% occupied before or until a Travel Plan including a Car Parking Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes which are acceptable to the local planning authority and shall include arrangements for monitoring of progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the Local Planning Authority.
- 7 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 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 For the avoidance of doubt.
- 3 To reduce the risk of flooding to the proposed development and future occupants and to reduce the possible consequences of an imminent flood event in line with the requirements of Part 14 of the NPPF, LPD3, and LPD4.
- 4 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims LPD 5 and LPD7.
- 5 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of LPD5 and LPD7.
- 6 To promote sustainable travel
- 7 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

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

Notes to Applicant

The Environment Agency recommend that the occupants of the development sign up to receive Environment Agency flood warnings by phone, email or text message which is a free service <https://www.gov.uk/sign-up-for-flood-warnings>.

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.

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

Developers are also made aware of potential path users in the area who should not be impeded or endangered in any way.

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

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with 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.

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

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

Date Recommended: 21st August 2018