

## Planning Report for 2018/0115



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## Report to Planning Committee

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| <b>Application Number:</b> | <b>2018/0115</b>                        |
| <b>Location:</b>           | <b>Lakeside Mansfield Road Bestwood</b> |
| <b>Proposal:</b>           | <b>Proposed hotel</b>                   |
| <b>Applicant:</b>          | <b>Movefast Ltd</b>                     |
| <b>Agent:</b>              | <b>RPS Planning and Development</b>     |
| <b>Case Officer:</b>       | <b>David Gray</b>                       |

### 1.0 Site Description

- 1.1 The development site is to the northern portion of the grounds to the former Bestwood Pumping Station. The building is surrounded by grounds measuring approximately 2.5 hectares which are almost rectangular in shape and orientated virtually north/south.
- 1.2 The eastern boundary abuts the A60 Mansfield Road with open countryside to the north and west, and the buildings and structures of Top House Farm to the south. The site is located within open countryside and within the designated Green Belt of Nottinghamshire. The Pumping Station is a visually dominant and attractive feature within the countryside.
- 1.3 The overall site is a former Pumping Station built between 1871 and 1874 a Grade II\* Listed Building. To the south of the former Pumping Station is the former cooling pond which is Grade II listed. To the north is an area of woodland. There are Grade II listed buildings and structures in the grounds, such as the East and West Lodge, gas lamps, the boundary wall and the piers and gate to the entrance from the A60.
- 1.4 The West Lodge is located to the north of the Pumping Station. The grounds are Grade II listed within the Historic England 'Parks and Gardens of Special Historic Interest' and are subject to a Tree Preservation Order.
- 1.5 A short distance to the north of the original Pumping Station is a more recent electric pump house and booster station, together with a small sub-station. There is also a car parking area, which was created in association with the conversion of the Pumping Station to a former health club. A footbridge has also been created which enables access to a small island at the southern end of the former cooling pond.

## **2.0 Relevant Planning History**

- 2.1 The Bestwood Pumping Station was erected between 1871 and 1874, and is attributed to Thomas Hawksley, engineer to Nottingham Waterworks Company and considered to be the most pre-eminent engineer of his day.
- 2.2 The Pumping Station was built in the flamboyant Victorian Gothic style; the building comprised a large engine house of red brick with stone facings and a variety of elegant and imaginative ornamental features both internally and externally. The exterior ornamental brickwork includes arcades supported by large columns with carved foliate capitals. A tall 43m high chimney is concealed and disguised as a huge campanile topped by a cupola.
- 2.3 The Pumping Station operated until the 1960's when steam engines were considered to be outdated. In 1964 a new pump house and booster station were built. In 1968 consent was given for the removal of all the plant from the Bestwood Pumping Station, which was then abandoned and as a consequence began to decay. In 1972 documents were prepared for its demolition. Local national conservation groups opposed this action and in 1974 the Pumping Station and its ancillary buildings and features were listed Grade II and the grounds included in the Register of Parks and Gardens. In 1974 Severn Trent became responsible for the site. In 1975 a Tree Preservation Order was made which encompassed the site. Later in 1997 the listed status of the Pumping Station was upgraded to grade II\*.
- 2.4 One of the previous owners of the site purchased the site in 1997. The former Pumping Station was in a dilapidated state and essential repairs were undertaken to prevent further deterioration. In May 1999 listed building consent was granted for internal and external works to both the Pumping Station and West Lodge. In July 1999 planning permission was granted for a change of use to a health club, bar/restaurant, function room, creche and associated parking facilities. Attached to this latter permission was a landscape management plan. In addition, a Section 106 Agreement secured improvements to the highway, including almost 2km of lighting along the A60.
- 2.5 The building and landscaping have been sensitively restored to a high standard, although this restoration has not included the woodland area to the north. In December 2002, planning permission was granted for the construction of a reed bed water treatment system and associated landscaping in the northeast corner of the site. This permission has not been implemented and has elapsed.
- 2.6.0 In August 2003 an application was submitted for the erection of a three-storey lodge and beauty treatment centre spa with accommodation within the northern part of the site, behind the modern pumping station. The building would have been 40 metres long x 14.5m wide and 11m high and would have required the felling of 19 trees which are subject to a Tree Preservation Order. 32 additional car parking spaces would have been provided, which would have enlarged the current car parking area.
- 2.6.1 The application was referred to the Secretary of State under section 77 of the Town and Country Planning Act 1990. The Secretary of State called the

application in for decision in March 2004 and an Inquiry was held in December 2004.

2.6.2 The Secretary of State wished to be informed on the following matters to aid consideration of the application:

- The relationship to the proposal to the development plan
- The proposed impact of the development on the openness of the Green Belt
- Whether very special circumstances existed to justify inappropriate development
- The impact the proposed development would have on the listed buildings and historic gardens
- The potential for valuable archaeological remains to be disturbed during the development process
- The quality of the design of the proposed development
- The scale and compatibility of the proposal with its surroundings
- The accessibility of the development by a choice of means of transport
- Possible increase in traffic generation
- Whether there was adequate justification for the removal of trees covered by Tree Preservation.

2.6.3 The Inspector considered that the (then) proposed development would enhance the existing facilities at Lakeside and encourage tourism; whilst the associated tree planting and other landscape works would complete the restoration of the historic grounds. Consequently, with the exception of the design of the hotel and adequate justification for development in the Green Belt, the Inspector considered that the application would accord with the policies of the development and the emerging policies of the replacement Local Plan.

2.6.4 Given the existing tree coverage of the site and the proposed tree planting, the Inspector thought that the proposed development would have little impact on the openness of the Green Belt. However, he did consider the development to be an inappropriate form of development within the Green Belt. He did acknowledge that the previous industrial use of the site meant that the site could also be classified as a 'brown field site' where development might be encouraged. The Inspector did place some weight on the fact that the present health club retained and indeed enhanced the former Pumping Station and considered that an alternative use of the building perhaps requiring the sub-division of space may not be so sympathetic to its character. Even though in absence of any economic viability reports, the Inspector did think that there were special circumstances, which could justify the development.

2.6.5 In principle the Inspector did not consider that a building of approximately the same size and location as the 2003 proposal would be intrinsically unacceptable. However, he considered the proposed building to be squat and unattractive. As a result he concluded that the design of the building would be both harmful to the setting of the former Pumping Station and detrimental to the character of the Registered Park and Garden.

- 2.6.6 Whilst the building was seen to be an excellent example of an industrial site of the Victorian period, the Inspector considered that there was no immediate evidence of any valuable archaeological remains.
- 2.6.7 Due to the proposed design of the building the Inspector did not believe that it would accord with the advice within Planning Policy Guidance with regards to the appearance of the proposed development and the relationship between buildings. Having regard to the overall size of the grounds and the present disposition of buildings and other structures, the Inspector did consider that in principle the scale of the building was compatible with the surroundings.
- 2.6.8 The Inspector considered that it would be unrealistic to anticipate any fundamental alteration with regard to access to the facilities by a choice of different transport modes. However, he did acknowledge on the basis of the comments made by the Local Highway Authority that the vehicular movements likely to be generated by the hotel would be insufficient to justify any objection.
- 2.6.9 With the amount of tree planting proposed as part of the development the Inspector considered that overall this justified the removal of some trees subject to the blanket Tree Preservation Order.
- 2.6.10 The Inspector concluded that permission be refused due to the inappropriate and unacceptable design and massing of the proposed building.
- 2.6.11 The Secretary of State agreed with the Inspector that, with the exception of the design of the lodge and subject to adequate justification for development in the Green Belt, the proposal would comply with the development plan and the emerging development plan policies. However, he did not consider that the proposal would accord with Green Belt or Historic buildings policies.
- 2.6.12 The Secretary of State did not agree that the proposed development would have little impact on the openness of the Green Belt, as he considered that the fundamental aim of Green Belt policy is to prevent urban sprawl and encroachment into the countryside by keeping land permanently open. The Secretary of State concurred with the views of the Inspector that due to the absence of economic viability reports that there was no evidence to suggest that the Lakeside enterprise might stagnate or fail without the additional facilities proposed. He considered that the Inspector had placed too much weight on the effect that alternative uses of the site could have on the Grade II\* building and its grounds. The Secretary of State concluded that there were no very special circumstances that clearly outweighed the harm caused to the development by reason of inappropriateness and any other harm.
- 2.6.13 The Secretary of State concurred with the views of the Inspector that in principle, a building of approximately the same size and in a similar location would not be intrinsically unacceptable, although very special circumstances would need to be demonstrated. However, he too considered that the design of the building was unacceptable as it would neither echo nor reflect the flamboyance of the Grade II\* building, nor be a visual contrast to its neighbour. The proposal would be harmful to the setting of the Grade II\* building and detrimental to the character of the Registered Park and Garden.

He also considered that the development by reason of its design would not accord with PPG1 which was in force at the time.

2.6.14 The Secretary of State agreed with the Inspector that there was no immediate evidence of any valuable archaeological remains and that the proposal would be unlikely to generate significant amounts of traffic. He also considered that overall the proposed planting would offset the loss of trees subject to a blanket Tree Preservation Order.

2.6.15 The Secretary of State considered that the design and massing of the application proposals were inappropriate and failed to enhance the setting of the Grade II\* listed building and its Grade II listed grounds. He concluded that the application proposals would harm the Green Belt both through inappropriateness and through a reduction in openness of the Green Belt and that no special circumstances had been demonstrated to outweigh this harm. The Secretary of State refused the application.

2.7 Since the 2003 application was refused, a series of applications for listed building consent have been made to carry out internal works to the former Pumping Station.

2.8 In May 2008 (2008/0094) Full Planning Permission was granted for a Proposed Hotel and Beauty Salon. The application was referred to the Secretary of State at the East Midlands Office and was not 'called in' and a decision was issued. An application to extend the time limit to implement the permission was then subsequently granted in November 2010 (ref: 2010/0803). Financial viability appraisal and a revised design were submitted with the application as very special circumstances to support the application and address the Secretary of State's previous concerns. The reason for decision was as follows:

*'In the opinion of the Borough Council the applicant has demonstrated special circumstances that would outweigh the harm to the Green Belt and the proposed design of the building would appropriately reflect the architecture of the Grade II star Listed Building. It is also considered that there would be no adverse impact on the setting of the Grade II landscape. The proposed development would accord with Planning Policy Guidance Note 2, Planning Policy Statement 5 and Planning Policy Statement 1. The proposal would also accord with policies ENV26, ENV21, ENV25, ENV1 and ENV47 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.'*

2.9 An application to discharge the planning conditions attached to 2010/0803 was received part discharging some of the conditions.

2.10 In November 2011 a Non Material Amendment (ref: 2013/1403NMA) to 2010/0803 was granted deleting the proposed basement from the scheme.

2.11 The 2008 application was commenced with the foundations laid out, however, the details required for all pre-commencement conditions were not received prior to the expiry of the planning permission and therefore the planning permission was not lawfully implemented.

### **3.0 Proposed Development**

- 3.1 Full Planning Permission is sought for the erection of a 29-bedroom hotel and beauty salon. Access to the site would be via the existing off Mansfield Road. The application is an identical scheme to the one approved in 2008 albeit without the basement level.
- 3.2 The proposed hotel and beauty salon would be sited 44m from the northern elevation of the former Pumping Station, and would be located within an area of previously developed land that has self-set young trees. The West Lodge is located 22m to the south east of the proposed new building and the modern pumping station would be sited just to the south east of the proposed new building at a distance of 8m.
- 3.3 31 car parking spaces would be provided in association with the new development. Some new parking spaces would be located to the north of the existing car park area and some would be located to the rear of West Lodge.
- 3.4 The proposed hotel and beauty salon would be 22.5m wide x 34m long x 10m high; it would have accommodation within the roof space. To the western elevation is proposed a small-enclosed staircase that would increase the length of the building to 38.6m.
- 3.5 The proposed hotel and beauty salon has been designed to reflect the scale and architectural features and details of the northern part of the Pumping Station. This part of the former Pumping Station is 22.5 m wide x 28.5m long and 10m high. It has rounded stone arch features that surround entrances and window openings. The arches of this part of the building range approximately from 1m in width and 3m in height to 3m in width and 5m in height. The brickwork would be broken up through the use of two bands of stone coursing. From the ground to the first stone course the distance is approximately 1.4m, the next vertical proportion of the building is 1.8m in height and the final part is 2.8m in height. The roof of the northern element of the former Pumping Station is created by five individual pitched roofs running north to south that are each approximately 5.5m wide x 22.5m long x 3.6m high and each have decorative iron work. There is a deep eaves detail to each of the roofs.
- 3.6 The proposed building would be the same width and height as the northern part of the former Pumping Station. It would have stone arch features to all its entrances and window openings that would be approximately 6m high and 2m wide. The arches would be broken up into three elements, so that the lower portion would look like French patio doors with two window lights above, the second part a rectangular window with a wide window light at the bottom and two smaller panes above and the final element would comprise of an arch window of four window lights. These arch features would be more slender in proportions than the arch features on the main building. There would be three arched features on the main building. There would be three arched features within the eastern elevation (Mansfield Road side) that would be centrally located but offset more towards the left side of the elevation. Four arches are proposed in the southern and northern elevations and in the western elevation two arch features are proposed.

- 3.7 The brickwork of the building would reflect the northern part of the former Pumping Station and would be broken up vertically through the use of horizontal stone coursing. Unlike the former Pumping Station the middle portion of the building would be the longest at 3.8m in height. The bottom element would be approximately 0.8m in height and the top portion would be 1.4m in height.
- 3.8 Like the northern part of the former Pumping Station it would appear that the roof of the building would be broken up into five parts running north to south. The first two roofs and the last two roof elements would be 6.6m wide and 3.6m high. The middle roof feature would be 8.5m in width and 4.6m high. Beneath the middle roof a glazed area is proposed. It is intended that this glazing would break up the length of the building and would be a central entrance feature to the hotel and beauty salon.
- 3.9 Three roof lights are proposed in the eastern elevation and two roof lights are proposed in the western elevation. An enclosed staircase would be located to the left hand side of the two arch features within the western elevation. This staircase would have a glazed frontage and brick sides (the brick work would be broken up in a similar manner to the rest of the building). The two arch features and a glazed staircase would be centrally located within the western elevation of the building.
- 3.10 As part of the proposed development it is intended to restore and enhance the grounds. The modern pumping station would be screened with trellis and climbers. Part of the existing car parking area alongside the new pumping station is to be given over to create a feature garden with pedestrian and wheelchair access to the front of the new hotel. The garden will have a mix of traditional and sensory planting with a seating area off the main walkway. A rose border is proposed along the existing lawn, which borders the car park. The new proposed car parking would be laid out with car parking spaces provided within the trees details of surfacing would be sought by way of landscaping condition.
- 3.11 The tree survey provided as part of the application indicates that 9 trees would need to be removed as part of the development because they would be within the area occupied by the building, or be so close to the proposed elements of the development that they would be adversely affected. However, new trees would be planted to compensate for this loss.
- 3.12 It is proposed to retain the north eastern area of the site as natural plantation areas. Originally the plantation area was designed with a woodland path; it is proposed to reinstate this and to create further paths within the woodland. Timber seats are also proposed alongside the woodland footpaths.
- 3.13 Following comments received from the Conservation Officer the applicant submitted further heritage statement to address concerns raised in relation to the development enabling the Historic Asset to remain in its most viable use. The agent has submitted information in relation to the Historic England policy on Enabling Development as set out in *'Enabling Development and the Conservation of Significant Places 2015'*



#### **4.0 Application Publicity and Consultations**

4.1 The application was publicised for representation in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The application has been advertised as a departure from the Local Plan. A Site notice was posted, a press notice has also been advertised in the Nottingham Post, and neighbouring properties have been notified by letter. The consultation responses are outlined below: -

#### **4.2 Nottinghamshire County Council (Highway Authority) –**

The Highway Authority has no highway objections to offer in principle for the proposals but in order to ensure satisfactory access and parking to the development, the Highway Authority requests that consent be made subject to conditions relating to details being submitted of the proposed improvements to the access on the A60 Mansfield Road, and the provision of parking and turning areas prior to the operational use of the development.

#### **4.3 Nottinghamshire County Council (LLFA) –**

The LLFA will not be making comments on it in relation to flood risks as it falls outside of the guidance set out by Government for those applications that do not require a response from the LLFA.

As a general guide the following points are recommended for all developments:

1. The development should not increase flood risk to existing properties or put the development at risk of flooding.
2. Any discharge of surface water from the site should look at infiltration – watercourse – sewer as the priority order for discharge location.
3. SUDS should be considered where feasible and consideration given to ownership and maintenance of any SUDS proposals for the lifetime of the development.
4. Any development that proposes to alter an ordinary watercourse in a manner that will have a detrimental effect on the flow of water (eg culverting / pipe crossing) must be discussed with the Flood Management Team at Nottingham County Council.

#### **4.4 Severn Trent –**

No objections with regards to surface or foul water subject to conditions requiring drainage plans.

#### **Source Protection Zone Comments:**

The proposed development lies in Source Protection Zone (SPZ) 1 of a public water supply (PWS) borehole and due to the nature of the construction of the borehole, the proposed development directly overlies an adit system that connects the PWS source to the wider aquifer. Insufficient information has been supplied in the application to determine the level of risk posed by the development to the PWS asset in terms of water quality and structural integrity and any measures to mitigate the impact of any risks during both the

construction phase and ongoing operation of the development once built. These risks include:

- Risk to the structural integrity of the borehole and adit system and groundwater quality (i.e. turbidity, contamination, bacteriological) during the construction phase of the development. The use of piled foundations in particular may pose a much greater risk to the PWS asset.
- Risks to groundwater water quality (i.e. bacteriological) from foul drainage. The application does not include any details for provision of foul drainage at the development. There is no mains sewerage in the area so foul drainage discharge is likely to be local to the development and as a result may pose a risk to groundwater quality.
- Risks to groundwater water quality (i.e. bacteriological. contamination) from surface drainage. The application includes options for the discharge of surface water runoff from the development via underground attenuation tanks, however no assessment has been undertaken regarding the risk this poses to groundwater quality.

It is recommended that additional information in the form of a hydrogeological risk assessment (HRA) that addresses the risks and any mitigation measures is undertaken.

#### 4.5 Arboricultural Officer –

9 mature trees are recommended to be removed.

Visually the greatest impact will be the broadleaf trees visible from the main entrance. The broadleaf trees are to be removed to facilitate the car parking spaces along the embankment.

The 3 or 4 pine trees adjacent to the new parking area are also of good value to the site; however these trees form part of a larger group of pine trees so their loss could be mitigated by replacement planting.

The site containing the proposed hotel contains self-set trees and vegetation so nothing of significance.

There are no landscaping plans to comment on.

Additional information outstanding are:

1. Arboricultural impact assessment identifying what impacts might arise from the proposed works.
2. Arboricultural Method Statement to give guidance on aspects of the proposed works which were identified within the Arboricultural impact assessment. The AMS provides guidance as to how they might be mitigated or compensated for.
3. Details of any special engineering works and surfacing required near trees.

- 4.6 Public Protection (Scientific Officer) –  
As it appears there is no desktop study / preliminary risk assessment has been submitted prior to, or with the planning application, it is requested phased contamination conditions are attached to any planning consent.
- 4.7 Economic Development –  
The size of the development meets the thresholds for an Employment and Skills Strategy to be developed and implemented in accordance with the Construction Industry Training Board 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 Conservation Officer -  
It is considered that substantial harm would be caused to the setting of a Grade II\* listed building and therefore with regard to Historic England advice on Enabling Development clear and convincing justification which proves the public benefits would outweigh this harm is required.

It is apparent that the building has been in use as a leisure/restaurant use and used as a wedding venue and this appears very acceptable use given that the interior of the building was significantly altered many years ago. A complementary use allied to a hotel could be the answer that sustains the building in use since previous businesses have now failed and the building is vacant and at risk. However, there is much detail missing and planning officers and Members should consider whether sufficient clear and justified evidence has been supplied that proves the case to be wholly exceptional and sufficient to approve permission.

- 4.9 Bestwood Parish Council –  
No comments received.
- 4.10 Nottinghamshire County Council (Policy) -
- 4.10.1 Waste  
In terms of Waste Core Strategy, there are no existing waste sites within the vicinity of the site whereby the proposed development could cause an issue in terms of safeguarding existing waste management facilities (as per Policy WCS10). As set out in Policy WCS2 'Waste Awareness, prevention and re-use' of the Waste Core Strategy, the development should be 'designed, constructed and implemented to minimise the creation of waste, maximise the use of recycled materials and assist the collection, separation, sorting, recycling and recovery of waste arising from the development'. In accordance with this, as the proposal is likely to generate significant volumes of waste through the development or operation phases, it would be useful for the application to be supported by a waste audit. Specific guidance on what should be covered within a waste audit is provided within paragraph 049 of the Planning Practice Guidance.

#### 4.10.2 Minerals

In relation to the Minerals Local Plan, there are no Minerals Safeguarding and Consultation Areas covering or in close proximity to the site. There are no current or permitted minerals sites close to the application site. Therefore the County Council does not wish to raise any objections to the proposal from a minerals perspective.

#### 4.10.3 Ecology

Following submission of a phase ecological survey it is suggested that the recommendations in section 5 are wrapped up together by requiring via condition the submission of an ecological mitigation and enhancement plan, to be produced prior to commencement. However, I would note that one tree (T4) earmarked for removal has 'high' bat roost potential. I would ordinarily expect that further surveys (emergence/re-entry surveys or a climbing survey) of the tree be carried out to establish whether there is a bat roost or not, to meet the requirements of para.99 Government Circular 06/2005 and to ensure that appropriate mitigation is secured, given the European Protected Species status of bats.

#### 4.11 Historic England -

Bestwood Pumping Station is listed at Grade II\* in recognition of its outstanding special architectural and historic interest, placing it amongst the top six percent of listed buildings in the country.

Whilst it is acknowledged that the principle of the proposed hotel is established by way of the planning permission that was granted in 2008, our position with regards to whether or not we believe the proposal would result in harm to the significance of those heritage assets in question remains unchanged.

Therefore in determining the current application the local planning authority must still ensure that it meets its statutory obligation under section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess, and if minded to grant approval, must be satisfied that any harm to the significance of heritage assets is substantiated by clear and convincing justification in accordance with paragraphs 132 – 134 of the NPPF (2012).

#### 4.12 Environment Agency

From the perspective of controlled waters protection insufficient information has been submitted to be able to determine the level of risk that the development poses to public water supplies. Without the detailed design and risk assessment the EA is unable to tell if this is an inappropriate location for a development such as this.

This development lies within a Source Protection Zone 1 and is directly adjacent to the boreholes supplying drinking water and is believed to directly overly adits (tunnels) connecting the boreholes and the wider aquifer. The water supply was constructed in 1873 and is not a conventional design. The well is 5.7 m in diameter and the adit system is 1.8 m in diameter running for several hundred metres in 3 different directions. We have serious concerns

that the proposal poses a significant risk to this supply in terms of both structural integrity and water quality.

- The construction, foundations and final building have the potential to damage the borehole and adit system.
- The proposal poses a risk of contamination entering the borehole or aquifer during construction.
- There is a risk of contaminating the drinking water source during operation of the site. There are no mains sewer servicing the area and so would either have to be stored or discharged locally. Surface water infiltration also has the potential to contaminate supplies.

Some of these points may mean that it is not feasible to construct a development of this type in this location. Other points can be addressed by conditions which ensure that best available technology is used in the design. The requirements of which may make the development less feasible for the developer.

There are currently too many unknowns to determine whether the risk is acceptable or not, and whether the risk can satisfactorily mitigated. Any damage caused to the integrity or quality of water aquifer is likely to be irreversible. If the development causes the public water supply borehole to be unusable then the current cost of supplying a replacement source of water is quoted at £1.5 million per megalitre output per day. The source is licensed at 7 megalitre per day.

I consider that each planning application should be granted on its own merits and not based on previous responses. Previous consultations were made without the benefit of a full appreciation of the water supply source construction.

If the above is considered insufficient justification to require additional information ahead of granting planning permission then we request conditions and reassurance that should the detailed design demonstrate that there is an unacceptable risk to controlled waters then the development will not progress.

- 4.13 The application has been advertised as a departure from the Local Plan and as a development that impacts on a Listed Building. 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 Planning Considerations**

- 5.1 In 1999 planning permission was granted for a change of use of the former pumping station to health club, bar/restaurant, function room, crèche and associated car parking. The operation went out of business in October 2017. A previous application for a hotel and beauty salon in the grounds of the former pumping station was approved in 2008 (Reference 2008/0094) and an extension of time was granted in 2010. The permission has not been implemented and has lapsed. The applicant has stated that the current application is identical to the hotel scheme previously approved on 21<sup>st</sup> October 2008.

5.2 The key issues from a Planning Policy perspective are the potential impact on the heritage assets on site and also on openness of the Green Belt at this location. Since the previous consent for the hotel was granted on this site national planning policy has been consolidated, amended and published as the NPPF and the ACS adopted in 2014 and the LPD adopted in July 2018. I consider there has not been a significant change in the planning policy context for the consideration of this proposal since 2008 when an identical proposal was permitted.

5.3 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'.

5.4 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 the additional information provided in the National Planning Practice Guidance (NPPG).

#### 5.5 National Planning Policies

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

- Part 3 (Supporting a prosperous rural economy);
- Part 6 (Building a strong, competitive economy);
- Part 7 (Ensuring the vitality of town centres);
- Part 12 (Achieving well-designed places);
- Part 13 (Protecting Green Belt Land);
- Part 14 (Meeting the challenge of climate change, flooding and coastal change);
- Part 15 (Conserving and enhancing the natural environment);
- Part 16 (Conserving and enhancing the historic environment).

#### 5.6 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 3 (Green Belt);
- ACS Policy 4 (Employment Provision and Economic Development);
- ACS Policy 6 (Role of Town Centres);
- ACS Policy 10 (Design and Enhancing Local Identity);
- ACS Policy 13 (Culture, Tourism and Sport).

#### 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 LPD15 – Infill Development in the Green Belt;
- Policy LPD18 – Protecting and Enhancing Biodiversity;
- Policy LPD24 – Tourist Accommodation;
- Policy LPD27 – Listed Buildings;
- Policy LPD29 – Historic Landscapes, Parks and Gardens;
- Policy LPD32 – Amenity;
- Policy LPD35 – Safe, Accessible and Inclusive Development;
- Policy LPD48 – Local Labour Agreements;
- Policy LPD57 – 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: -

*Public Benefit of the Scheme*

- Supporting a prosperous rural economy

*Green Belt*

- Whether the proposal would be inappropriate development in Green Belt having regard to the National Planning Policy Framework (NPPF) and any relevant development plan policies.
- The effect on the openness of the Green Belt and the purposes of including land within it.
- If the proposal is inappropriate development, whether any harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so to amount to the ‘very special circumstances’ necessary to justify it;

*Historic Environment*

- Enabling Development;
- The impact of the development on the Heritage Assets;
- Design, Layout and Scale of development;
- Ecology and Trees;
- Highway implications, including parking provision and access;
- Impact on the amenities of neighbouring premises;
- Flood risk and drainage;
- Contamination and health and safety;

Each of the above aspects is considered in detail below.

## **6.0 The Public Benefit**

6.1 At the heart of the NPPF there is a presumption in favour of sustainable development with paragraph 83 addressing the support of a prosperous rural economy. There is a strong emphasis that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed

new buildings. Development should also enable sustainable tourism and leisure developments which respect the character of the countryside.

- 6.2 LPD24 – Tourist Accommodation states:  
*‘Planning permission will be granted for tourist related accommodation, provided that:*
- a) It is not within the Green Belt; or*
  - b) It accords with Green Belt policy;*
  - c) It would not have a significant adverse impact on the amenity of nearby residential or non-residential properties.’*
- 6.3 The pumping station was built in 1871-4 by Thomas Hawksley engineer to Nottingham Waterworks Company. Hawksley is described as the pre-eminent waterworks engineer of his date, and Bestwood is his most accomplished piece of architecture, successfully assimilating engine house, coal store, boiler house and chimney with polychromatic effects in a picturesque landscape. The pumping station was converted to form a fitness and beauty treatment centre including a restaurant and bar in 1999. This operation went out of business in October 2017 and the applicant is the new owner looking to revitalise the business.
- 6.4 Having regard to the Public Inquiry (outlined in paragraph 2.6.2 above), and the assessment of the Secretary of State at this time, it was noted that following the decommissioning of the pumping station in the 1960’s and the removal of the plant in 1968, the former Bestwood Pumping Station and Listed gardens fell into a state of disrepair, threatening the retention of the historic building. The July 1999 permission secured a change of use of the building. The scheme was developed at considerable cost to the developer, temporarily securing the future of a Grade II\* Listed Building and Gardens. However, due to the significant investment made in the repair of the listed building and the additional running costs associated with the heritage asset the owner required a new business plan to make the existing business viable. Following the result of the ‘Call In’ by the Secretary of State the owner finally gained permission in 2008 for a hotel and beauty salon in the grounds of the Listed Building. The decision of the Secretary of State recognised the need to secure further investment to maintain the building and the gardens. The inspector noted that the cost of renovations at the time of the inquiry was over 2.4 million. The inspector advised that in essence, the hotel proposal would be akin to *‘enabling development’* in that it would ensure the continued operation of Lakeside and secure the future maintenance of the Listed Building and Registered Garden. The inspector advised that there was no doubt that the works already undertaken had saved a most attractive and significant building and the proposed development would enhance the existing facilities and encourage tourism.
- 6.5 The business has since seen two owner/operators fail to make the business work and due to a variety of financial and organisational factors, the proposed hotel approved in 2008 was not lawfully implemented and the premises is now not in operation. The agent has outlined that the business model of the current operation without the hotel is unsustainable without the additional development and income that this would achieve. The agent has stated that without this additional investment and approval of the proposal hotel there



is a significant risk that the current leisure and restaurant business would fail once more. Therefore the retention of the heritage asset requires significant, on-going investment and a successful business operating the premises.

- 6.6 The proposal again seeks to erect a hotel within the grounds of the listed building and gardens. The applicant has advised that the hotel would form part of the business model of the scheme, providing accommodation to visitors to the area and also guests of the function rooms within the former pumping station. The applicant also advises that the use of the pumping station as a wedding venue forms a significant part of the business plan with guests enjoying the architecture of the building and its setting with the listed gardens. The application has been promoted on the basis that the hotel would complement the existing facilities at Lakeside and provide overnight accommodation to the wedding guests through the proposed hotel as well as providing general high quality tourist accommodation in its own right. The development would offer a unique proposition in this area and the business case is dependent on this location which is noted is outside of the city or town centre location. It is also noted that there is a wealth of tourist related attractions within the wider area including Bestwood Pumping Station itself, Papplewick Pumping Station, Newstead Abbey and Sherwood Forest.
- 6.7 In the above context, the proposal seeks to provide a new tourist venture to attract people to Gedling from all over the UK in conjunction with providing overnight accommodation for people attending weddings, conferences and events at the Lakeside.
- 6.8 The financial benefits of the proposal are acknowledged insofar as Lakeside would receive further significant investment, 10 full time jobs would be created and other indirect jobs would be created in the local economy through what is known as “the multiplier effect”. Moreover, it is also acknowledged that anyone staying at the proposed hotel would provide support for local amenities and facilities including shops and restaurants. This assessment was supported by the inspector in 2005 where it was noted that the scheme and supporting economic case would maintain the listed building and gardens and would also provide additional jobs.
- 6.9 In this regard, the benefits of the proposal towards supporting strong economic rural growth are welcomed. I would also acknowledge that there is an established need to create jobs in rural areas. In this regard it is welcomed that the business venture would provide jobs for local people and that this can be secured by condition requiring a local employment agreement using the CITB’s Client Based Approach.
- 6.10 In my opinion the need to support a prosperous rural economy, the ongoing maintenance and upkeep of the Listed Building and Registered Gardens and the continued operation of a successful business supporting tourism in the Borough should be given substantial weight in the planning balance. It is considered that the public benefit of the proposal is accepted and supported; however, its acceptability rests in parts on the detailed consideration in particular to the impact on Green Belt, the Listed Building and Registered Park and Gardens, on Nature Conservation, on the character and appearance of the site and on highway safety. In the following chapters the impact on the

openness of the Green Belt and the impact on the setting of the listed building and registered gardens have been assessed in greater detail and these impacts need to be carefully balanced against the public benefits of the proposal that have been identified above.

## **7.0 Green Belt**

7.1 *Whether the proposal would be inappropriate development in Green Belt having regard to the National Planning Policy Framework (NPPF) and any relevant development plan policies;*

7.2 From a principle perspective Chapter 13 'Protecting Green Belt Land' of the NPPF is the most relevant policy basis for assessing this application.

7.3 Paragraph 133 of the NPPF states that '*The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belt are their openness and their permanence.*'

7.4 Paragraph 134 sets out the five purposes of Green Belt which includes 'c) to assist in safeguarding the countryside from encroachment'

7.5 Paragraph 145 of NPPF states that '*A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt*'. It goes on to set out exceptions to inappropriate development in the Green Belt which includes:

*'g) limited infilling or the partial complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*

- *not have a greater impact on the openness of the Green Belt than the existing development; or*
- *not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority'*

7.6 Substantial weight should be given to ACS Policy 3 as far as it is relevant to this proposal.

7.7 The site itself does come under the definition of a previously developed site in the Green Belt and would therefore not be inappropriate development in the Green Belt provided it would not have a greater impact upon the openness of the Green Belt when compared to existing development. Given that the site is free from buildings it is my opinion that the development would have a greater impact on the openness of Green Belt and should therefore be considered inappropriate development within the Green Belt.

7.8 Paragraph 143 of the NPPF states that '*Inappropriate development, is by definition, harmful to the Green Belt and should not be approved except in very special circumstances*'.

- 7.9 Paragraph 144 goes on to state that 'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed
- 7.10 *The effect on the openness of the Green Belt and the purposes of including land within it;*
- 7.11 Whilst there is no specific definition of openness in the NPPF, this is a concept which relates to the absence of building; it is land that is not built upon. Openness is therefore epitomised by the lack of buildings, but not by buildings that are unobtrusive, camouflaged or screened in some way. Any construction harms the openness quite irrespective of its impact in terms of obtrusiveness or its aesthetic attractions or qualities.
- 7.12 Measures taken to limit the intrusiveness of a development in terms of its visual impact must not affect the assessment of openness, but may be relevant to the very special circumstance balancing exercise. Openness and visual impact are different concepts. This analysis is supported by the Courts which have held that it is wrong in principle to arrive at a specific conclusion as to openness by reference to visual impact (*Timmins & Anor v Gedling Borough Council*).
- 7.13 Paragraph 134 of the NPPF states that: 'Green Belt serves five purposes:
- a) to check the unrestricted sprawl of large built-up areas;
  - b) to prevent neighbouring towns merging into one another;
  - c) to assist in safeguarding the countryside from encroachment;
  - d) to preserve the setting and special character of historic towns; and
  - e) to assist in urban regeneration, by encouraging the recycling or derelict and other urban land.
- 7.14 Given that the proposed development would be sited within an existing Spa/leisure/restaurant planning unit; I consider the development would assist in the first two purposes of Green Belt listed above. I also consider that a viable rural business that maintains the rural landscape assists in checking urban sprawl of large built up areas and would not result in neighbouring towns merging together.
- 7.15 The proposed hotel would be sited to the northwest corner of the application site which is currently cleared and defined by some hard core (previously development land) utilised for overspill car parking which has now been reclaimed by some vegetation. The north boundary facing the agricultural fields has significant trees marking the boundary and the west boundary also has trees and an earth bank some 2 metres in height. The boundaries of the site to the east, facing the A60 (Mansfield Road) is defined by a dwarf wall and large mature trees and vegetation.
- 7.16 I also note that there are various buildings on the site including a Severn Trent Booster Station (which is of a more contemporary design), the Pumping Station itself, and West Lodge to the north of the site entrance. There are no public footpaths or registered rights of way adjacent to the premises and

views towards the site are limited to the landmark chimney of the Pumping Station that can be seen from considerable distances approaching the site. The key views of the application site would be limited to passing road traffic adjacent to the main entrance to the site.

- 7.17 I am mindful of the character of the immediate vicinity consisting of the established gardens to the south of the Pumping Station, The Pumping Station (which is a large attractive and imposing building sited centrally on the site), West Lodge (to the north of the site entrance) and the Booster Station. The significant boundary treatments surrounding the site gives rise to a strong sense of enclosure which assists in the built form being seen in the wider context of the whole site. Whilst I consider that the proposed hotel would be visible from some locations, the strong boundary treatments and the other built development on the site does restrict many of the key views to the development. Whilst I note that the development is for a two and half story building its scale and massing does not detract significantly from the scale and massing of the Pumping Station and would appear slightly subservient in its location to the northeast of the site and to the north of West Lodge. The submitted streetscene plan demonstrates the subservient scale and massing of the development. It is therefore my opinion that the proposed hotel in this location would only have a limited impact on the openness of the Green Belt and would only result in limited encroachment when viewed in the context of the wider site. I am also mindful that the Secretary of State and the Inspector both considered that a building of the scale and massing proposed under the 2003 application would not be intrinsically unacceptable and that the current proposal is a resubmission of a smaller scheme.
- 7.18 Whilst I consider the impact on openness of the Green Belt in this location would be slight, the scale of the development means it would not maintain the openness of the Green Belt and therefore 'very special circumstances' are required to support the development.
- 7.19 *If the proposal is inappropriate development, whether any harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so to amount to the 'very special circumstances' necessary to justify it;*
- 7.19 The courts have ruled that the risk of creating a precedent is a material consideration especially in the Green Belt where a high bar is set. Where the very special circumstances put forward by the applicant are generic or capable of being easily replicated on other sites, consideration will need to be given to the extent to which any very special circumstances could be used on different sites leading to a decrease in the openness of Green Belt. The provisions of very special circumstances which are specific and not easily replicable should help mitigate the risk of precedent being created.
- 7.20 I note the considerations in regards to the public benefit of the scheme, chapter 6 above (paragraph 6.7 – 6.10), and the assessment on the openness of the Green Belt (paragraphs 7.9 – 7.18)

7.21 In conclusion the following have been identified as being capable of forming the very special circumstances required to permit inappropriate development in the Green Belt: -

1. To assist the existing business making it economically sustainable which would provide the income required for the future and ongoing maintenance of the Grade II\* Listed Building and the Registered Park and Gardens;
2. Diversification of an existing rural business creating jobs supporting a prosperous rural economy;
3. The provision of essential facilities for leisure and tourism;
4. To provide 10 new full time jobs for local people and the provision of a local labour agreement between the Lakeside and Gedling Borough Council;
5. The limited impact on encroachment and openness;
6. The less than substantial visual harm of the development.

7.22 It is my opinion that the need to support a prosperous rural economy and to support an existing business should be given substantial weight in the planning balance. I also consider that the ongoing upkeep and maintenance of the Grade II\* Listed Building and the Registered Park and Garden should be afforded significant weight given that the existing business is vacant and has failed on two occasions. I also consider that the adverse impact on the openness of the Green Belt would be limited and less than substantial. Therefore the limited impact on openness and encroachment (paragraphs 7.9 – 7.18) needs to be balanced against the public benefits of the proposal (Chapter 6). I consider that, on balance, the limited impact on the openness of and encroachment of the Green Belt in this location is outweighed by the public benefit of the development. I therefore consider there to be 'very special circumstances to justify the proposal in this instance.

7.23 Whilst I consider that very special circumstances exist these need to be balanced against the overall harm to the Green Belt by means of inappropriateness, impacts on openness and the other constraining factors. The material planning considerations that need addressing and balanced against the very special circumstances established relate to factors such as:

- Historic Environment / Enabling Development;
- The impact of the development on the setting of a Listed Building and the Registered Park and Garden;
- The Design Layout and Scale of development;
- Flood risk and drainage;
- Ecology and Trees;
- Highway implications, including parking provision and access;
- Water resources, flood risk and drainage;
- Contamination and health and safety;
- Impact on the amenities of neighbouring premises; and
- Other considerations.

## 8.0 **Historic Environment**

### 8.1 **Enabling Development**

- 8.2 Paragraph 192 of the NPPF states that: ‘in determining applications, local planning authorities should take account of:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - b) the positive contribution that conservation of heritage assets can make to make to sustainable communities including their economic vitality; and
  - c) the desirability of new development making a positive contribution to local character and distinctiveness.
- 8.3 Paragraph 193 goes on to state: ‘When considering the impact of a proposed development on the significance of a designated asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 8.4 Paragraph 195 states: ‘Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
- a) the nature of the heritage asset prevents all reasonable uses of the site; and
  - b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
  - c) conservation by grant-funding or some form of not profit, charitable or public ownership is demonstrably not possible; and
  - d) the harm or loss is outweighed by the benefit of bringing the site back into use.
- 8.5 Paragraph 202 states that local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.
- 8.6 The proposed hotel would be located within the Green Belt and within a Registered Park and Garden and as such would contravene the planning policy objective of protecting openness. However, special circumstances may apply if a number of tests as set out by Historic England justify the proposed development to secure the long term future of the Grade II\* Listed Building and its surroundings and associated heritage assets. The NPPF requires that when substantial harm to the setting of heritage assets of the highest significance are proposed clear and convincing justification is required to prove that the harm that would be caused is wholly exceptional (paragraph 194).

- 8.7 I note that neither the Appeal Inspector nor the Secretary of State assessed the 2003 application from the enabling development perspective. The Secretary of State and the Inspector both indicated that a very special circumstance could be if the applicant could demonstrate that without the additional facilities, in the long term the Lakeside enterprise might stagnate or even fail. In my opinion, the Appeal Inspector in his report implies that the importance of ensuring that the Lakeside enterprise is economically viable is to prevent the need for an alternative use to be found for the site which might not be so sympathetic to its character and to safeguard the future upkeep of the site.
- 8.8 The agent has submitted information in relation to the Historic England policy on Enabling Development as set out in *'Enabling Development and the Conservation of Significant Places 2015'*
- 8.9 The policy states: *'Enabling Development that would secure the future of a significant place, but contravene other planning policy objectives, should be unacceptable unless:*
- a) It would not materially harm the heritage values of the place or its setting;*
  - b) It avoids detrimental fragmentation of management of the place;*
  - c) It will secure the long-term future of the place and, where applicable, its continued use for a sympathetic purpose;*
  - d) It is necessary to resolve problems arising from the inherent needs of the place, rather than the circumstances of the present owner, or the purchase price paid;*
  - e) Sufficient subsidy is not available from any other source;*
  - f) It is demonstrated that the amount of enabling development is the minimum necessary to secure the future of the place, and its form minimises harm to other public interests*
  - g) The public benefit of securing the future of the significant place through such enabling development decisively outweighs the disbenefits of breaching other public policies.'*
- 8.10 The agent has addressed each of the above points as follows:
- a) An approval of an identical scheme on the site under planning reference 2008/0094, and the details of the consideration by the Secretary of State under reference APP/N3020/V/04/1146604. This approval has demonstrated that it has previously considered that the proposal would not materially harm the heritage values of the place or its setting;
  - b) The aim of the proposal is to enable a viable business to operate on the site. The aim is to operate a wedding and conference venue on the site supported by visitor accommodation. The business model is also to provide accommodation on the site with access to dining and services within the Pumping Station. The proposal would also make the business viable allowing the continued use of the Pumping Station as a restaurant. Visitors to the site would have access to the grounds which are a key asset to the scheme. It is the heritage assets that are the unique selling point of the business. As such, it is important that the management of the site is coordinated and not fragmented.

- c) (i) The developer seeks to achieve a long-term future for the site and to use experience in the tourism industry to make a success of the scheme. Whilst the company running the site may change over time, the business model is sound and if sold the venture would be sold as a going concern including both the hotel and the pumping station.  
(ii) The purpose of the proposed hotel is sympathetic to the use of Bestwood Pumping Station and the grounds. As explained above, the elements of the site would work together to provide the unique selling point of the business. The proposed hotel would make the use of the pumping station as a conference/wedding venue and restaurant and economically viable concern, thus generating an income for maintenance and repair of the heritage assets.
- d) Bestwood Pumping Station and the surrounding gardens require constant maintenance and thus these are inherent needs. The owner is a successful company with experience in the tourism industry and is seeking to expand the business through the development of the site. The proposal is not connected to the purchase price. The proposal would allow for an economically viable and sustainable business. The costs of maintaining the pumping station and gardens are a significant factor in the failure of the previous businesses without the supporting development.
- e) No known subsidy is available to maintain the heritage assets.
- f) The proposal comprises a 29 bed hotel. The owner purchased the site based on the previous approval which demonstrated that the development was acceptable. Previous operators have run the business without the hotel and failed. Information has been submitted regarding hotel market in the surrounding area. This proposal for a 29-bed hotel is a unique size hotel which is not currently catered for in the area. Competing hotels are either small, boutique hotels of around 10 rooms or large hotels of around 70 rooms. The hotel would allow guest to stay in a unique location.
- g) The proposal does not breach public policies by securing significant public benefit, making the business viable. The conservation of the building is in the public interest allowing access to the site and associated gardens for future generations.

8.11 It is my opinion that substantial weight should be attached to the economic viability of the enterprise in order to support the ongoing maintenance and upkeep of the significant heritage assets in this instance. In relation to point a) this will be addressed in the section below (*The impact of the development on the Heritage Assets*). In relation to point (b) *the proposed development should avoid detrimental fragmentation of the place*; I note that the site location plan submitted includes the whole of the Registered Park and Garden and the existing buildings and is being considered as one planning unit. It is my opinion the building of an allied hotel in the proposed location would avoid the need for the fragmentation to happen and would allow for a leisure use within the Pumping Station to retain the existing plan form and layout of the Grade II\* Listed Building without extensive subdivision to the detriment of the internal historic fabric of the building. In this instance I consider that the future allied hotel and former pumping station would be sympathetic uses that would help sustain one another which in my view also addresses point (c).

8.12 Points (d), (e), and (f) relate to the needs of the heritage asset. The NPPF requires clear and convincing justification in this case. Enabling development



allows new development that is the minimum necessary to secure the future of the place and to minimise harm. It is apparent that the current use which has been run intermittently for around 15 years as a leisure / restaurant use and as a wedding venue is an acceptable use for the pumping station that retains the internal historic fabric of the building without the need for subdivision. However, the sole use as a leisure suite and venue without the additional accommodation to support the primary use has resulted in the enterprise becoming financially unviable and uncompetitive in the market it is serving. It is my opinion that a complementary use allied to a hotel could be the answer that sustains the building in use since previous businesses have now failed and the building is now only in part use as an office and at risk. It is my opinion given the planning history of the site and the failure of the current enterprise that there is clear and justified evidence that is wholly exceptional in this instance to support an allied hotel which would support the existing leisure / restaurant use of the Pumping Station.

- 8.13 Point (g) has been addressed in full in chapter 6.0 above and substantial weight should be attached to the public benefit that would arise from the scheme.
- 8.14 It is my opinion that it has been demonstrated that there is clear and justified evidence that would support the development of a hotel to complement the existing use and substantial weight should be attached in the planning balance to the ongoing maintenance of the heritage asset. It is my opinion that the substantial harm caused by the erection of a building within the Registered Park and Garden adjacent to Grade II\* Listed Buildings is necessary to achieve the substantial public benefits which in my view would outweigh that harm in this instance.
- 8.15 *The impact of the development on the setting of a Listed Building and the Registered Park and Garden*
- 8.16 ACS Policy 10 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.
- 8.17 Policy LPD27 (Listed Buildings) and LPD29 (Historic Landscapes, Parks and Gardens) require development within the setting of listed buildings and within Registered Parks and Gardens to consider the scale, form, mass, design, siting, detailing and materials. Policy LPD29 requires development not to compromise key views or prejudice its future restoration.
- 8.18 The Grade II\* Pumping Station has a formal Victorian Municipal Park and pleasure grounds style setting to its southern elevation as a result of the former cooling pond which was constructed and set within a landscaped area with significant formal planting and footpaths surrounding it. To the rear of the building deciduous and coniferous trees are present with woodland walks through, providing a semi-formal setting to the rear of the building. The

frontage of the West Lodge (a Grade II building) was laid out as a formal garden comprising of shrubs and specimen conifers, with an area of lawn to the eastern elevation planted with deciduous trees, some of these features still remain. The rear of West Lodge has a woodland setting as a result of the plantation to the northern part of the site. There is also a contemporary booster station building to the rear of West Lodge.

- 8.19 The hotel would be sited on previously developed / brownfield land and would be separated from the Pumping Station by the creation of a formal garden area with car parking provided and pedestrian linkages to the Pumping Station. The West Lodge would be separated to some extent from the proposed hotel by the modern booster station and would be further screened by the proposed car parking area that would be bounded by trees. In my opinion, subject to suitable detailed landscaping and surfacing plans being secured by condition, the proposed spaces between the buildings would enhance the setting of the listed buildings. Visitors to the site would still perceive it as being formal parkland setting with a backdrop of woodland planting. As a result of the existing and additional planting the new building would only be readily visible from the car parking area.
- 8.20 I am also mindful that the Secretary of State and the Inspector both considered that a similar smaller building of the scale proposed under the 2003 application would not be intrinsically unacceptable. The current proposal is for a building that would be smaller in scale.
- 8.21 In light of the above considerations I consider that the proposed development would preserve the setting of the listed buildings as required by LPD 27 and LPD29 and subject to acceptable planting the proposed hotel would assimilate well with the existing use and formal gardens that presently occupy the site.
- 8.22 *The Design Layout and Scale of development*
- 8.23 In my opinion, the design of the proposed building would be subservient to the former pumping station. It would be smaller in scale and its design would not compete with the architecture, as a more simple style has been proposed which still echoes the design features of the existing building. The new hotel would not be subservient to West Lodge; however I do not consider that it would be inappropriate for the new hotel to be more prominent than this building given the domestic scale of the West Lodge and that it would be viewed within the same context with the substantial woodland backdrop.
- 8.24 I have given careful consideration to the extent in which the new building would reflect the prominent architectural features of the existing pumping station and the scope to which its characteristics can be adapted, interpreted and reflected to suit the modern requirements of the hotel. Taking into account the relationship of the proposed new building to the former Pumping Station, in terms of its siting, design, massing and architectural features, I am of the opinion that the proposed building would appropriately reflect the architectural merits of the former Pumping Station and complement the design features present on its elevations.

- 8.25 Should planning permission be forthcoming conditions would be attached to control the quality of the design and the buildings specific detailing to ensure that quality materials and mortar are used. Reveals may be capable of being incorporated within the design in order to give the impression of solidity and to add visual interest.
- 8.26 LPD27 and LPD29 require development to conserve and/or enhance features which form part of the significance of the asset and ensure that development does not detract from the enjoyment, layout, design, character, appearance or setting of Registered Parks and Gardens and the setting of Listed Buildings. In my opinion the design, scale and layout of the proposal accords with the requirements of the above Policies.

## **9.0 Ecology and Trees:**

- 9.1 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.
- 9.2 I note the comments from NCC Ecology (para: 4.10.3) and the absence of a bat survey to cover the proposed removal of a tree with 'high' bat roost potential. 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 to meet the requirements of para.99 Government Circular 06/2005. A condition would also be attached requiring the recommendations the submitted Ecology Survey – section 5 – to be adhered to and an Ecological Mitigation and Enhancement Plan to be submitted prior to the commencement of development.
- 9.3 I note the site is covered by a Tree Preservation Order and I note the comments from the Arboricultural Officer (para: 4.5) and that no objections are raised to the removal of 9 trees to facilitate the car parking areas. Whilst I consider the removal of the large broadleaf tree would have a limited visual impact within the site, when viewed in the context of the wider woodland, I consider that its loss and the loss of the less significant pine trees could be mitigated against by the implementation of replacement planting and by securing a comprehensive landscaping scheme prior to the development commencing. I also note the requirements for additional information to be submitted regarding Arboricultural Method Statement and any details of engineering works prior to the commencement of development and I consider that the request for these details by condition would be a reasonable in this instance.
- 9.4 Subject to the details being sought to mitigate potential biodiversity impacts to bats and to secure tree protection and landscaping details, 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.

**10.0 Highway implications, including parking provision and access;**

- 10.1 I note the comments from the Highway Authority that do not raise any objections to the proposed development in planning terms subject to a condition requiring details of the proposed improvements to access the A60 Mansfield Road and the provision of the car parking and turning areas to be submitted prior to the operational use of the hotel.
- 10.2 I concur with the comments received from the Highway Authority and consider that the development would be acceptable in terms of highway safety and appropriate car parking provision.

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

- 11.1 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.
- 11.2 I note the application site is located within Flood Zone 1 and is therefore considered to have a low level risk of fluvial flooding.
- 11.3 I note the comments from the Environment Agency (EA) and Severn Trent with regards to the controlled waters, contamination and existing engineering works and the significant additional information required prior to the development going ahead. I consider that this information can be secured by way of planning conditions to ensure that suitable engineering solutions are provided prior to the commencement of development.
- 11.4 I also note that the EA have requested various conditions to address their concerns to include the submission of the following prior to commencement of development: a hydrological risk assessment, a scheme for foundation design, foul water drainage scheme, a remediation strategy, and a verification report. I consider that subject to satisfactory details being approved prior to the commencement of development in consultation with the EA and Severn Trent Water that the development could be made 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 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 conditions it is my opinion, therefore, that the proposed development would accord with Section 15 of the NPPF and Policies LPD7 and LPD10.

**13.0 Impact on the amenities of neighbouring premises;**

- 13.1 Given the substantial distances to the nearest neighbouring properties I consider there to be no undue impact on residential amenity arising from this development.

**14.0 Other Considerations;**

- 14.1 I note the comments from Nottinghamshire County Council (Waste). The main impact from the development is likely to be from the construction phase of the development. The impacts of the construction activities would 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 planning condition.

**15.0 Conclusion;**

- 15.1 It is my opinion, as considered in the above chapters, that the substantial public benefit arising from maintaining a heritage asset in its most viable use, the continued maintenance and upkeep of Grade II\* Listed Building and Registered Park and Garden, the diversification of an existing rural business creating jobs supporting a prosperous rural economy, and the provision of essential facilities for tourism and leisure, are capable of forming the very special circumstances required to support this development.
- 15.2 In light of the considerations given above in relation to:
- Public Benefit of the Scheme;
  - Green Belt;
  - Historic Environment;
  - Highway implications;
  - Water resources, flood risk and drainage;
  - Contamination and health and safety;
  - Impact on the amenities of neighbouring premises;

I consider that, on balance and taking into account the benefits that would be generated as a result of the proposal, that it would constitute sustainable form of development. In reaching this conclusion I have had regard to paragraph 47 which states that planning permission be determined in accordance with the development plan, unless other material considerations indicate otherwise. Given the considerations set out in chapters 5.0 – 13.0, above, I

consider that it has been demonstrated that on balance the planning impacts have been addressed, are outweighed by the public benefits that result from the scheme, and therefore the impacts of the proposal have been made acceptable.

## **16.0 Secretary of State Referral**

- 16.1 The proposed development is for inappropriate development within the Green Belt and is also for the provision of a building where the floor space to be created by the development is 1000 square metres or more. Under the provisions of The Town and Country Planning (Consultation) (England) Direction 2009 the local planning authority is required to consult the Secretary of State at the Case Work Unit.

## **17.0 Recommendation: Following referral to the Secretary of State Case Work Unit. That the Borough Council GRANTS FULL 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 permitted shall be constructed strictly in accordance with the Application Forms and the following approved plans submitted with the application: Heritage Statement (February 2018 - ref: PP1109); Planning Design and Access Statement (February 2018 - ref: PPS1109); Lakeside Eaves Detail (rec'd: 06.02.18); Site Location Plan; Floor Plans (ref: 970 - 1); Site Plan (ref: 970 - 3); Elevations (ref: 970 - 2); Sections (ref: 970 - 4); Streetscene (rec'd: 06.02.18); Preliminary Ecology Report (dated: 10th May 2018); Preliminary Ecological Appraisal (ref: OXF10939); Additional Information: Heritage Assets (Date: July 2018 - ref: PPS1109); and Flood Risk Assessment (ref: RCEF64439-002 R).
- 3 Prior to the first use of the hereby approved Hotel details of the proposed improvements to the access on the A60 Mansfield Road, as shown for indicative purposes on drawing number 970-3 shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include construction specification of the access, together with the relocation of street lighting column and signage near the entrance point. The works shall be implemented strictly in accordance with the approved details prior to the hotel being first brought into use.
- 4 The Hotel shall not become operational until the parking, turning and servicing areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number 970-3. The parking, turning and servicing areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking, turning and loading and unloading of vehicles.
- 5 Before development is commenced there shall be submitted into and approved in writing by the Local Planning Authority, (1) A tree protection plan

to graphically show the locations of any tree and root protection barriers; (2) Arboricultural impact assessment identifying what impacts might arise from the proposed works; (3) Arboricultural Method Statement to give guidance on aspects of proposed works which were identified within the Arboricultural impact assessment. The AMS provides guidance as to how works might be mitigated or compensated for; (4) Details of any special engineering works and surfacing required near trees. The approved measures of protection shall be implemented strictly in accordance with the approved details for the duration of the construction period.

- 6 Prior to any above ground works commencing on site there shall be submitted to and approved in writing by the Local Planning Authority full details of both soft and hard landscape works. The detailed landscape plans and particulars shall include: (a) details of size, species, positions and densities of all trees, hedges and shrubs to be planted; (b) precise details of the feature garden, rose border and trellis to the booster station; (c) the proposed means of surfacing access roads, car parking areas, roadways, and footpaths (d) a programme of implementation. (e) a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas, and (f) details of any proposed external lighting to car parking areas and walkways. The development shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development.
- 7 No above ground construction works shall commence until samples of the proposed materials to be used in the external construction of the development have been submitted to, and approved in writing by, the Local Planning Authority and the development shall only be undertaken in accordance with the materials so approved and shall be retained as such thereafter.
- 8 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.
- 9 In the event that remediation identified in the Remediation Scheme 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.

- 10 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. Prior to the first occupation of the development 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.
- 11 Before development commences details of reveals to be introduced within the brickwork of the building and to window openings shall be submitted to and approved in writing by the Local Planning Authority. The depth of reveals on the former Pumping Station shall be used for reference. The building shall be constructed in accordance with the approved details for the brickwork and window opening reveals.
- 12 Before above ground works commence a sample panel of the proposed brickwork, stonework and eaves details showing the proposed bond, mortar and joints to be used within these aspects and details of proposed downpipes and guttering shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken strictly in accordance with the approved details.
- 13 The development hereby permitted shall not commence until such time as a hydrogeological risk assessment has been submitted to, and approved in writing by the Local Planning Authority. The risk assessment should cover all aspects of the construction and operation of the development. The assessment must demonstrate how the integrity of the source will not be compromised by the foundation design and loading of the development. It should show how during construction site run off will not contaminate the boreholes and any fuel will be stored and transferred in such a way where it is not possible for contamination to enter the aquifer. The risk assessment will need to show that foul and surface water drainage will be managed in such a way that it is not possible for contamination to enter the aquifer and impact the source. The risk assessment should include a site management plan to identify how site personnel will manage the risk and any mitigation action that will be taken.
- 14 The development hereby permitted shall not commence until such time as a scheme for foundation design has been submitted to, and approved in writing by the Local Planning Authority. The scheme shall be implemented strictly in accordance with the approved details.
- 15 The development hereby permitted may not commence until a foul water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved and completed prior to the development being brought into use. Any foul drainage



design must use best available technology to ensure that there is no risk of contamination entering the public drinking water system. Any discharge of effluent will require an environmental permit.

- 16 Prior to the commencement of development there shall be submitted to and approved in writing by the Local Planning Authority, 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 and shall be retained for the lifetime of the development. No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. Any proposed infiltrating drainage must adequately demonstrate that contaminated water will not enter the aquifer.
- 17 Before development has commenced there shall be submitted to and approved in writing a Bat Scoping Survey and Mitigation Strategy for the tree marked T4 on Appendix 1: Phase 1 Habitat Plan. Once approved the development shall be carried out strictly in accordance with the approved Bat Scoping Survey and Method Statement.
- 18 Before development has commenced there shall be submitted to and approved in writing an ecological mitigation and enhancement plan which accords with the recommendations of Section 5 - Preliminary Ecological Appraisal (Dated: April 2018). Once approved the development shall be constructed strictly in accordance with the approved details.
- 19 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. 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.
- 20 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 ensure works are carried out on the public highway prior to the Hotel opening.
- 4 To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.
- 5 To minimise any potential impacts on biodiversity and the landscape in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 6 To ensure a satisfactory development and that the landscaping of the development accords with the requirements of Policy 17 of the Aligned Core Strategy.
- 7 To ensure a satisfactory standard of external appearance.
- 8 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.
- 9 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.
- 10 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.
- 11 To ensure a satisfactory development that accords with Policy 10 of the Aligned Core Strategy.
- 12 To ensure a satisfactory development that accords with Policy 10 of the Aligned Core Strategy.
- 13 To protect controlled waters, the adjacent public water supply source, bore holes and underlying adit system in accordance with LPD7.

- 14 To ensure that the proposed development does not damage the underlying drinking water supply source. The use of piled foundations will pose a much greater risk to the integrity of the underlying adit system and nearby borehole.
- 15 To protect controlled waters, the adjacent public water supply source, bore holes and underlying adit system in accordance with LPD7.
- 16 To protect controlled waters, the adjacent public water supply source, bore holes and underlying adit system in accordance with LPD7. Infiltration drainage inherently increases the risk of contamination entering the aquifer and water supply source.
- 17 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.
- 18 To ensure that practicable and effective measures are taken to protect and mitigate against impacts on biodiversity and ecology in accordance with LPD18.
- 19 To protect the residential amenity of the area in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 20 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).

### **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) The Gedling Borough Replacement Local Plan (Certain Policies Saved 2014), and the Local Planning Document 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. The benefits of granting the proposal outweigh any adverse impact of departing from the Development Plan.

### **Notes to Applicant**

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.

No removal of hedgerows, trees or shrubs which have the potential to support nesting birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before clearance works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority. As you will be aware all birds, their nests and eggs (except pest species) are protected by the Wildlife and Countryside Act 1981 (and as amended).

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 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).