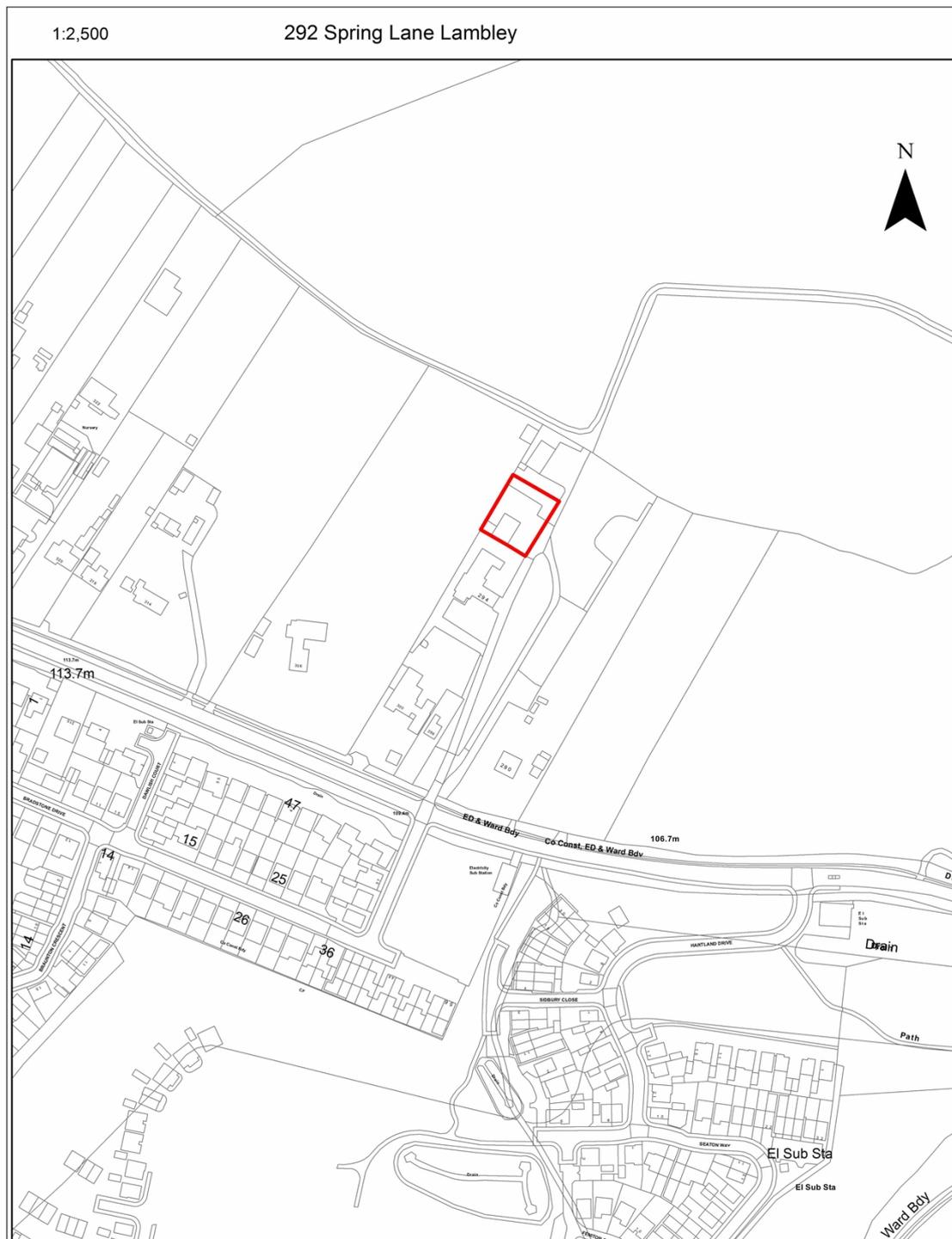


Planning Report for 2019/0003



NOTE This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site.
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Report to Planning Committee

Application Number:	2019/0003
Location:	292 Spring Lane Lambley NG4 4PE
Proposal:	Change of use from Office (B1) to Residential (C3) and side extension of less than 50% of the existing floor area.
Applicant:	Mr Roland Spencer
Agent:	Mr John Crich
Case Officer:	Lewis Widdowson

The applicant is an Honorary Alderman of Gedling Borough Council and therefore, in accordance with the Council's Constitution, this application has been referred to Planning Committee.

1.0 Site Description

- 1.1. The application site relates to an existing office building located at 292 Spring Lane, Lambley. The site is set back from Spring Lane approx. 128 metres, and is accessed via a shared drive.
- 1.2. The existing building measures approx. 108 square metres and is constructed from facing stonework and concrete roof tiles with an area of hardstanding to the front of the building.
- 1.3. The application site is located within the Nottinghamshire Green Belt as defined by the Local Planning Document (2018) policy maps with open fields to the north and east and residential dwellings to the south and west.

2.0 Relevant Planning History

- 2.1. On the 15th February 2007 conditional permission was granted for the "Conversion from general store to offices". App Ref: 2006/1132.
- 2.2. Subsequently a Prior Notification application was submitted on the 14th March 2017 to "Convert existing building without increasing footprint area or volume into a domestic dwelling". It was determined on the 16th June 2017 that Prior Approval was not required and the works were thereby approved. App Ref: 2017/0343PN.

3.0 Proposed Development

- 3.1. This application seeks planning permission to change the use of the existing office (B1 use) to a residential dwelling (C3 use).
- 3.2. The proposed development also includes the erection of a single storey side extension beyond the northern elevation. The extension would measure approx. 6 metres in width and approx. 8.9 metres in depth. It would be constructed with a dual pitch roof with a front gable. The eaves height would match the existing building whilst the maximum ridge height would measure approx. 4.8 metres. The extension will be constructed using render on the external elevations and concrete interlocking roof tiles to match the existing building.
- 3.3. The development includes alterations to the external elevations of the building including changes to the existing fenestration.

4.0 Consultations

- 4.1. The statutory consultation period ends on the 20th March 2019. Any additional comments received will be reported verbally.
- 4.2. Letters were sent to immediate neighbouring occupiers, a site notice posted near the site and an advert placed in the local newspaper. To date, no representations have been received.
- 4.3. Nottinghamshire County Council (Highway's Authority) – No objection.
- 4.4. Gedling Borough Council (Public Protection) – No objections. Advises a number of conditions should be attached to any forthcoming permission relating to the installation of EV charging sockets and the submission of a Construction Emission Management Plan.

5.0 Assessment of Planning Considerations

- 5.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'.
- 5.2. The most relevant national planning policy guidance in the determination of this application is contained within the National Planning Policy Framework 2019 (NPPF) and the additional guidance provided in the National Planning Practice Guidance (NPPG).

6.0 Relevant Planning Policies

- 6.1. National Planning Policy Framework (NPPF) 2019:

Section 2 'Achieving Sustainable Development',
Section 4 'Decision-making',
Section 5 'Delivering a sufficient supply of homes',

Section 12 'Achieving well-designed places', and
Section 13 'Protecting Green Belt land'.

- 6.2. Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014 –
- 6.3. Policy A: Presumption in Favour of Sustainable Development: “A positive approach will be taken when considering development proposals reflecting the presumption in favour of sustainable development contained in the National Planning Policy Framework.”
- 6.4. Policy 3: The Green Belt “The principle of the Nottingham Derby Green Belt will be retained”.
- 6.5. Policy 8: Housing Size, Mix and Choice “Residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes in order to create sustainable, inclusive and mixed communities”.
- 6.6. Policy 10: Design and Enhancing Local Identity “All new development should be designed to make a positive contribution to the public realm and sense of place; create an attractive, safe, inclusive and healthy environment, reinforce valued local characteristics; be adaptable to meeting the changing needs of occupiers and the effects of climate change and reflect the need to reduce the dominance of motor vehicles. Development will be assessed in terms of its treatment of a number of specified elements”.
- 6.7. Local Planning Document (LPD) 2018
- Policy LPD 11 – Air Quality
Policy LPD 12 – Reuse of buildings within the Green Belt,
Policy LPD 13 – Extensions to buildings within the Green Belt,
Policy LPD 32 – Amenity,
Policy LPD 57 – Parking Standards, and
Policy LPD 61 - Highway Safety.
- 6.8. The relevant planning policies that need to be considered in relation to highway matters are set out in the Parking Provision for Residential Development SPD. This document outlines that a dwelling with three or more bedrooms, within a rural area, should provide a minimum of three off street parking spaces.

7.0 Principle of the development

- 7.1. The NPPF attaches great importance to the Green Belt (paragraph 133). When determining planning applications, substantial weight should be given to any harm to the Green Belt and 'inappropriate development' should be approved only in 'very special circumstances'. Not all development, however, is inappropriate. The NPPF sets out at paragraph 145 specific types of development, such as the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
- 7.2. Paragraph 146 goes on to state that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness

and do not conflict with the purpose of including land within it. These include the re-use of buildings provided that the buildings are of permanent and substantial construction.

- 7.3. The proposal is for the re-use of an existing building. Policy LPD 12 states that permission will be granted for the re-use of buildings provided the proposal preserves the openness of the Green Belt and does not conflict with the purposes of including land within it and, the buildings are of permanent and substantial construction, are structurally sound and capable of re-use without major alterations, adaptations or reconstruction.
- 7.4. Given that the proposal also includes the erection of a single storey side extension Policy LPD 13 is also relevant. This policy states, inter alia, that within the Green Belt planning permission will be granted for extensions or alterations to buildings provided the proposals do not result in the floorspace of the building being over 50% larger than when originally constructed. The floorspace of the original building measured approx. 121.6 square metres. The proposed extension has an additional floorspace of approx. 53.4 square metres. In total the new dwelling would have a Gross External Floor Area of approx. 175 square metres, representing an increase of approx. 44%.
- 7.5. It is considered that the building is suitable for conversion without major alterations and that the scale of the development is limited within its context. In addition the development is not considered to have a detrimental impact on the openness of the Green Belt or the reasons for including land within it, does not adversely affect valuable views and would be in keeping with the surrounding character. I am therefore satisfied that the proposed development complies with policies LPD 12 and LPD 13.
- 7.6. In order to ensure that any future development on the site does not impact on the openness of the Green Belt I would recommend, should permission be granted, that permitted development rights are removed from the application site. Extensions, outbuildings and other structures all have the potential in impact on the openness of the Green Belt and as such I would consider it reasonable in this instance to control these types of development, given that approval of this application would permit a floorspace extension of approximately 44%.
- 7.7. The proposed development is in full conformity with policies LPD 12 and LPD 13 therefore and is therefore acceptable in principle, subject to a detailed assessment of all material considerations including the impact upon the character and appearance of the area, residential amenity and highway matters.

8.0 Design and the impact upon visual amenity

- 8.1. The National Planning Policy Framework states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities (Paragraph 124). Planning decisions should ensure that developments will function well and

add to the overall quality of the area; are visually attractive as a result of good architecture, layout and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, and establish or maintain a strong sense of place (Paragraph 127).

- 8.2. It is considered that the proposed development would result in a detached single storey residential dwelling which is in keeping with the scale and design of the neighbouring properties to the south. I also consider that the materials proposed are acceptable given that there are a number of properties within the immediate vicinity which have been constructed with render. I therefore do not have any concerns relating to the use of this material in this location.
- 8.3. Taking the above into consideration, it is my opinion that the development would accord with Part 12 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy.

9.0 Impact upon residential amenity

- 9.1. Policy 32 of the Local Planning Document outlines that planning permission will be granted for development proposals that do not have a significant adverse impact on the amenity of nearby residents or occupiers.
- 9.2. Impact upon residential amenity of the surrounding properties has been carefully considered. I am satisfied, given the scale of the proposal and its relationship with neighbouring dwellings, that there would be undue overbearing, overshadowing or overlooking impact created by the development.
- 9.3. The proposed single storey extension which is included as part of this application is located on the northern side elevation furthest away from the surrounding residential properties. In addition I note that the shared boundary which runs along the rear of the property to the west is delineated by a hedgerow approx. 2.5 metres high.
- 9.4. It is therefore considered that the proposal meets with the objectives of Policy LPD 32 of the Local Planning Document.

10.0 Highways matters

- 10.1. I am satisfied that the proposed development can provide sufficient off street parking, by way of the existing hard surfaced area to the front of the building. I am therefore satisfied that the development would meet the requirements of the Parking Provision for Residential Development SPD which requires three spaces in this location. In light of the above and in accordance with the Highway Authority's comments, I do not have any concerns relating to highway safety.

11.0 Other matters

- 11.1. In order to meet with the objectives of LPD 11 it is considered reasonable to require that an electric vehicle charging point is incorporated into the dwelling.

Should permission be granted I would recommend that a EV charging point is secured by way of a planning condition.

- 11.2. Given that the proposal relates only to the change of use and extension to form one dwelling, I do not consider it reasonably necessary to request a Construction Emission Management Plan be submitted in this instance.

12.0 Conclusion

- 12.1. The proposal has been assessed against Green Belt policy set out within national and local planning policies. It is considered that the proposal represents the re-use of an existing building and would not cause harm to the openness of the Green Belt. The development is considered to be of a high standard of design and would not impact on the amenity of neighbouring properties or the surrounding highway network.
- 12.2. The proposal therefore meets with the objectives of the National Planning Policy Framework, Policies A, 3, 8 and 10 of the Aligned Core Strategy, and Policies LPD 11, 12, 13, 32, 57 and 61 of the Local Planning Document.

13.0 Recommendation GRANT PLANNING PERMISSION subject to the following conditions:-

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. This permission shall be read in accordance with the details within the Application Form, the OS Location Plan and following Drawings 1898-01 "Site Plan", 1898-02 "Existing Floor Plan", 1898-03 "Existing Elevations", 1898-04 "Proposed Floor Plan" and 1898-05 "Proposed Elevations" submitted on the 3rd January 2019 and the email dated 15th February 2019 received from the applicant / agent confirming the description of works. The development shall thereafter be undertaken in accordance with these details.
3. No works permitted under Class A, B, C, D or E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order) shall be undertaken without the prior written permission of the Local Planning Authority.
4. Prior to commencement of any external works, details of the Electric Vehicle charging point to be provided at the hereby approved dwelling, to include the location and specification shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in

accordance with the approved details prior to the first occupation of the development.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and to define the terms of this permission.
3. To ensure any future development does not impact on the openness of the Green Belt or the reasons for including land within it, in accordance with the aims of the National Planning Policy Framework (2019) Policy 3 of the Aligned Core Strategy (2014) and Policies 12 and 13 of the Local Planning Document (2018).
4. To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration policy LPD11 of the Council's Local Plan.

Reasons for Decision

In the opinion of the Borough Council the proposed development would not cause harm to the openness of the Green Belt, is visually acceptable, results in no significant impact on the amenity of neighbouring residential properties and would not have any adverse impacts on Highway Safety. The development therefore accords with the objectives of the National Planning Policy Framework, Policies A, 3, 8 and 10 of the Aligned Core Strategy, and Policies LPD 11, 12, 13, 32, 57 and 61 of the Local Planning Document.

Notes to Applicant

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). During the processing of the application there were considered to be no problems for which the Local Planning Authority had to seek a solution in relation to this application.

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

The 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 PAYABLE on the development hereby approved as is detailed below. Full details about the CIL Charge including,

amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, residential extension or residential annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website or from the Planning Portal: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil