

Application Number: 2013/1387

Location: Gedling Country Park, Lambley Lane, Gedling, Nottinghamshire



NOTE:

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Report to Planning Committee

Application Number:	2013/1387
Location:	Gedling Country Park, Lambley Lane, Gedling, Nottinghamshire
Proposal:	Variation of Conditions 2, 3, 23 and 24 and the removal of conditions 7, 10 and 12 attached to application no. 2012/1456.
Applicant:	Gedling Borough Council
Agent:	Miss N Ashbridge

Site Description

The application site relates to the former Gedling Colliery site which covers an area of approximately 110 hectares. The colliery closed in 1991 and has been restored to its current state which is largely open grassland with areas of conservation grassland and woodland planting. The site is a dominant feature in the landscape with two colliery spoil heaps, to the west and east of the site, on the southern slope of an irregular east to west ridgeline. The spoil heaps are connected by a saddle of colliery spoil between the two main heaps. The larger eastern spoil heap has steep southern and eastern slopes with a large plateau.

The site is bounded to the north by Spring Lane, to the east by Lambley Lane and to the west by residential properties. Residential properties are currently being erected to the north west of the application site off Spring Lane. The former colliery yard and the line of the former mineral railway line lie to the south of the application site. A methane plant is now in operation adjacent to the southern boundary of the site.

There are residential developments directly to the west together with properties along Spring Lane to the north of the site and along Lambley Lane to the east of the site. To the south of the site is mature woodland, agricultural land and a recreation ground to the south east of the site. Beyond this to the south and east of the site lie residential areas. The Mapperley Golf Club lies to the south west off Arnold Lane and undulating agricultural land lies to the north and east of the site.

All colliery structures have been demolished and removed from the site except for isolated headwalls, spillways, pipes and culverts which are associated with the site water management system.

There is a Site of Importance for Nature Conservation (SINC) to the south of the site.

Relevant Planning History

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

Planning permission was granted in November 2013, reference 2013/0713, for the creation of a new access road and footpath from Spring Lane leading to a car park which would serve the country park as granted under planning permission reference 2012/1456. The proposed access road into the site from Spring Lane would be in the same position as the access previously approved under planning permission 2012/1456 and a visibility splay would be provided to the proposed access.

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

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

A planning application was submitted in November 2013, reference 2013/1329DOC, relating to the discharge of conditions 4, 5 and 6 which were attached to planning permission 2012/1456, for the creation of the country park. These conditions related to the submission of a surface water drainage scheme for the site and details relating to the contamination of the site. The details submitted in respect to these conditions were acceptable and therefore these conditions have been discharged.

Proposed Development

Permission is now sought to vary conditions 2, 3, 23 and 24 and to remove conditions 7, 10, and 12 attached to planning permission 2012/1456 for the creation of the Gedling Country Park. The variation and removal of the conditions relate to the previously proposed Arnold Lane access and proposed temporary car park which are no longer proposed to be provided to serve as an access to the approved Gedling Country Park.

Condition 2 relates to the approved plans under planning permission 2012/1456, which showed the proposed access from Arnold Lane to the country park and the proposed temporary car parking area to this access. As the Arnold Lane access and temporary car park to this access are no longer proposed to be provided the plans have been revised to omit the Arnold Lane access and car parking area. This condition therefore will need to be varied in order to relate to revised plans showing the omission of the Arnold Lane access and car parking area.

Condition 3 relates to the proposed phasing of the development as set out within the Design and Access Statement and the approved plans. The phasing of the development included the provision of the Arnold Lane access and the provision of the temporary car park to this access. This condition is therefore required to be varied in order to omit the works to provide the Arnold Lane access and temporary car park in the phasing of the development.

Condition 23 relates to the gates to the Spring Lane and the Arnold Lane access opening inwards. As the Arnold Lane access is no longer proposed to be provided the condition is required to be varied to relate solely to the gates to the Spring Lane access opening inwards.

Condition 24 relates to the opening times of the vehicular access points to Spring Lane and Arnold Lane. As the Arnold Lane access is no longer proposed to be provided the condition is required to be varied to relate solely to the opening times of the vehicular access to Spring Lane.

Condition 7 relates to details of the visibility splay to the Arnold Lane access to the country park to be submitted, provided and retained thereafter to the access at all times. As the Arnold Lane access is no longer proposed to be provided this condition is proposed to be removed.

Condition 10 relates to the car parking area to the Arnold Lane access being made available for the users of country park as the development is brought into use and height restrictor barriers to the entrance being provided to the entrance. As the Arnold Lane access and the car parking area to this access are no longer proposed to be provided this condition is proposed to be removed.

Condition 12 relates to the approval and provision of security lighting to be provided to the car parking and footpath areas to the Arnold Lane access to the site. As the Arnold Lane access and car parking area are no longer proposed to be provided this condition is proposed to be removed.

Consultations

Nottinghamshire County Council Highway Authority -The statutory consultation period for representations is until 24th December 2013 and any consultation responses will be reported verbally at Committee.

A site notice has been posted - The statutory consultation period for representations is until 23rd December 2013 and any consultation responses will be reported verbally at Committee.

Planning Considerations

The main considerations in the determination of this application are whether the removal of conditions 7, 10 and 12 and the variation of conditions 2, 3, 23 and 24 attached to planning permission 2012/1456 are acceptable in terms of any highway safety issues arising, whether the proposal will provide adequate access and parking provision for the country park and the impact on users of the country park.

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

ENV1: Development Criteria

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

- a. it is of a high standard of design which has regard to the appearance of the area and does not adversely affect the area by reason of its scale, bulk, form, layout or materials;
- b. it would not have a significant adverse effect on the amenities of adjoining occupiers or the locality in general, by reason of the level of activities on the site or the level of traffic generated;
- c. development proposals are to include adequate provisions for the safe and convenient access and circulation of pedestrians and vehicles. In this regard, particular attention will be paid to the needs of disabled people, cyclists, pedestrians and people with young children;
- d. it incorporates crime prevention measures in the design and layout in terms of good lighting levels, natural surveillance, defensible space and well considered layouts and landscaping;
- e. it does not prejudice the comprehensive development of a development site, and
- f. it incorporates best practice in the protection and management of water resources.'

ENV44: Gedling Colliery Park

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

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

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

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

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

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

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

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

Highway Issues

I note that the Highway Authority has not provided comments to date in respect to the proposed variation and removal of conditions attached to planning permission 2012/1456 and any comments received will be reported verbally. I consider however that the omission of the access to the country park from Arnold Lane together with the loss of the parking area serving this access, will not result in any highway safety issues, given that the access from Spring Lane, as approved under the original application for the country park is proposed to be provided.

I am also mindful that the access from Arnold Lane was assessed under the original application, for the creation of the country park, to be a temporary access only into the site as the land adjacent to this access point is designated as potential housing land with the Gedling Borough Replacement Local Plan. It is therefore envisaged that this temporary access will be replaced in the future by a further access point into the site associated with the development of the site for housing.

I therefore consider, given the Arnold Lane access was always proposed to be a temporary access and the Highway Authority previously assessed the creation of the country park on the basis that the Spring Lane entrance was the only permanent access into the site and raised no objections in principle to the overall scheme, the loss of the Arnold Lane access and associated car parking area will not result in any undue highway safety issues and the country park will be adequately served by the Spring Lane access and car parking area to this access point.

Impact on Visitors to the Country Park

In my opinion the omission of the Arnold Lane access and car parking area, whilst reducing vehicular access points into the site and the loss of a car parking area, the proposed footpaths together with the Spring Lane entrance and car parking area associated with this access will remain as approved under the original application for the provision of the country park.

I therefore consider that users of the country park will still be able to gain access to the country park at many points into the site and therefore the loss of the Arnold Lane access and car parking area will not prevent visitors accessing all parts of the country park.

I am also mindful as stated above that the Arnold Lane access and car parking area were always proposed to be provided on a temporary basis and therefore when the original application for the country park was assessed it was considered that the provision of the Spring Lane entrance together with the car parking area to this access alone would be adequate to serve the country park as a whole when the Arnold Lane access was no longer in use.

Accordingly, I recommend that permission be granted for the removal of conditions 7, 10 and 12 and the variation of conditions 2, 3, 23 and 24 in order to omit the Arnold Lane access from the provision of the Gedling Country Park.

Recommendation:

To Grant the Variation of Conditions 2, 3, 23 and 24 and the Removal of Conditions 7, 10 and 12 attached to Planning Permission 2012/1456.

Conditions

2. The development hereby approved shall be carried out in accordance with the approved plans received on the 7th December 2012, the 18th December 2012, the revised plans received on the 28th January 2013, the revised plans received on the 27th February 2013, the revised plan received on the 1st March 2013 and the plans received on the 8th November 2013, drawing numbers LR/4017514/08, LR/4017514/09, LR4017514/10, LR4017514/11, LR/4017514/12, LR/401754/05, LR4017514/03A, LR/4017514/06, LR/4017514/06, LR/4017514/02A, LR/4017514/02D, LR/4017514/03C and LR4017514/04E.
3. The development as approved under application reference 2012/1456 shall be carried out in two phases. Phase 1 works will include site clearance, repairs to the drainage system, path works, fencing, cultivation and seeding which will be carried out between December 2013 and April 2014. Phase 2 of the works will include the provision of the car park and access of Spring Lane together with the footway along Spring Lane, these works being carried out in the Summer of 2014, unless otherwise agreed in writing by the Borough Council as local planning authority.
23. The gates to the proposed access point from Spring Lane shall open inwards.
24. The vehicular access point into the site from Spring Lane shall not be used between the hours of 21.00 and 06.00 from 1st June to 30th September inclusive and shall not be used between the hours of 19.00 and 07.00 from 1st October to 31st May inclusive.

Reasons

2. For the avoidance of doubt.
3. For the avoidance of doubt.
23. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
24. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

Reasons for Decision

The proposed variation of conditions 2, 3, 23 and 24 and the proposed removal of conditions 7, 10 and 12 attached to planning permission 2012/1456 are acceptable resulting in no significant impact on highway safety or visitors to the country park. The proposal therefore accords with policies ENV1 and ENV44 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2008) and the policies contained within the National Planning Policy Framework and the Gedling Borough Council Aligned Core Strategy.

Notes to Applicant

Planning Statement - The Borough Council has worked positively and proactively with the applicant/agent by liaising and discussing the proposal with the applicant/agent which is in accordance with paragraphs 186 to 187 of the National Planning Policy Framework.

You are advised that the remaining conditions attached to planning permission reference 2012/1456 shall be adhered to at all times.