

Planning Report for 2019/0435



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:	2019/0435
Location:	Land corner of Standhill Avenue Third Avenue Carlton
Proposal:	Proposed Construction of 9 No. Dwellings.
Applicant:	Blue Brick Developments Ltd
Agent:	Swish Architecture Ltd
Case Officer:	Clair Turton

This application has been referred to Planning Committee by the Planning Delegation Panel given the wide ranging matters under consideration and scale of development proposed.

1.0 Site Description

- 1.1 The site consists of a vacant parcel of land located within the built-up area of Carlton. The site is roughly rectangular in shape, measuring approx. 40 metres x 46 metres. The site slopes downwards from south-west to north-east (Third Avenue boundary). The site is located at the corner of Standhill Avenue and Third Avenue which is an un-adopted road.
- 1.2 Neighbouring properties are residential. Properties on Third Avenue are bungalows (albeit one appears to have a room in the roof). Properties on Standhill Avenue are a mix of single storey, one-and-a-half storey and two-storey dwellings.

2.0 Relevant Planning History

- 2.1 None relevant.

3.0 Proposed Development

- 3.1 Planning permission is sought for the erection of 9 no. dwellings. These are all 3-bedroom, 2-storey houses and are either detached or semi-detached.
- 3.2 A pair of semi-detached dwellings are proposed to the western corner of the site with 2 no. car parking spaces in front of each dwelling accessed from Standhill Avenue. A private driveway is also proposed from Standhill Avenue to access the remainder of the site. A pair of semi-detached dwellings are proposed to the west of the site. 5 no. dwellings are proposed to run parallel with Third Avenue with their rear elevations facing towards Third Avenue.

3.3 The scheme has been amended throughout the process of this planning application. Planning permission was originally sought for the erection of 7 no. dwellings and 6 no. flats. All dwellings are now 2-storey (some were originally proposed to be 3-storey).

4.0 Consultations

4.1 GBC Scientific Officer – raises no objection subject to conditions regarding contamination land, electric vehicle charging and a construction emission management plan.

4.2 GBC Parks and Street Care - no comment to make as the site is less than 0.4 hectares and therefore policy LPD21 is not engaged.

4.3 GBC Economic Development - The size of the development does not meet the thresholds for an Employment and Skills Strategy (relevant only to developments of 10 residential units or more).

4.4 GBC Arboricultural Officer – raises no objection as only a hawthorn hedge with mixed self-set trees exists along Third Avenue which are of poor condition and not worthy of retention or protection.

4.5 NCC Highway Authority – initial comments requested amendments and clarification regarding access arrangements, visibility splays and driveway gradients.

4.6 NCC Highway Authority 11/06/2020 – No objections to amended plans subject to conditions.

4.7 NCC Highway Authority 25/06/2020 – Provided further clarification that the immediate highway network could facilitate the level of traffic likely to be generated by the proposal and that the number of parking spaces proposed was satisfactory.

4.8 NCC Planning Policy - Confirm that as the application is now below the 10 dwelling threshold the County Council will no longer be seeking Section 106 contributions.

4.9 NCC Lead Local Flood Risk Authority - Provide general pointers for development

4.10 Notts Wildlife Trust - No objection but provide advice regarding measures to be put in place if vegetation is to be removed during bird breeding season.

4.11 The Environment Agency (Flood Risk) - State no formal comments to make

4.12 The Environment Agency (Environmental Permits) - Provide advice regarding environmental permits (in relation to Japanese Knotweed).

4.13 Neighbours – Over the course of the application a total of 30 letters of objection have been received from neighbouring occupiers. Concerns are;-

Design / Character

No. of properties proposed
Overdevelopment of the site
Style of properties proposed
The area is mostly bungalows
3-storey properties are out of character with the area
Development is out of keeping with the surrounding area

Amenity

Loss of light
Overshadowing
Overlooking / loss of privacy
Overbearing
Loss of view
Noise disturbance
Light disturbance
Pollution
Increase of people in the area

Highways

Third Avenue is an unadopted road that the owners have to maintain
Addison Road is a single track road without pavement
Increase in traffic on a very narrow road with no passing area
Increase in on-street parking
How will construction vehicles access the site
Damage to unadopted road by construction vehicles
Access for emergency vehicles
Can the surrounding roads be adopted
What assurance will we have that the houses running along 3rd Avenue won't be allowed to take fences down and put pin a drive at the back of the property as well as at their front?

Other Issues

Disposal of Japanese Knotweed – this has been identified on the site and may have been inappropriately disposed of.
Is this site really Brownfield Land? If it is Brownfield Land then the site should be assessed by an experienced environmental consultant before any development can take place.
Can the development connect to the mains sewer
The SHLAA states that this site has a net capacity for 4 no. small dwellings
Discrepancies with application form
Loss of green space and natural habitat
When we bought our bungalow we were informed (which was subsequently legally confirmed) that there existed a Planning Restriction which limited the roofline of properties to the lower end of Standhill Avenue, to be of single storey or split-level proportions.
Some residents do not have access to the internet to view the plans and the Council Offices are currently shut so the plans cannot be viewed in person there.

The plans state that existing trees facing Third Avenue will be retained. This is welcome as it addresses overlooking issues and maintains the environmentally rich hedgerow. To ensure that this actually happens it should be a requirement of planning permission being granted that these trees remain outside of new garden fencing. If they are inside the new owners could easily remove them.

Boundary encroaching onto land.

Devaluation of properties

A nearby resident was refused planning to extend into a second floor of her home it appears unreasonable that 2 story homes would be permitted.

The type of houses proposed may eventually lend itself to social housing, a concept not replicated anywhere within the immediate vicinity.

Flooding from run-off water

Third Avenue has no surface water mains grates

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 Development Plan Policies

- 6.1 The following policies are relevant to the application:
- 6.2 At the national level the National Planning Policy Framework (February 2019) is relevant. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF sees good design as a key element of sustainable development. The NPPF seeks to ensure a high standard of amenity for existing and future users of land and buildings.

National Planning Policy Framework:

Part 2 – Achieving sustainable development

Part 5 – Delivering a sufficient supply of homes

Part 11 – Making effective use of land

Part 12 – Achieving well-designed places

Paragraph 124 of the NPPF states that “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 127 of the NPPF states that *“Planning policies and decisions should ensure that developments ... create places ... with a high standard of amenity for existing and future users.”*

6.3 Gedling Borough Council Aligned Core Strategy 2014:

Policy A: Presumption in Favour of Sustainable Development – a positive approach will be taken when considering development proposals.

Policy 1: Climate Change – all development will be expected to mitigate against and adapt to climate change including with respect to flood risk.

Policy 8 – Housing Size, Mix and Choice sets out the objectives for delivering new housing.

Policy 10 – Design and Enhancing Local Identity states that development will be assessed in terms of its “structure, texture and grain including street patterns, plot sizes, orientation and positioning of buildings and the layout of space”.

6.4 The Local Planning Authority adopted the Local Planning Document (LPD) on the 18th July 2018. The relevant policies in the determination of this application are as follows:

LPD11 – Air Quality states “Planning permission will not be granted for development proposals that have the potential to adversely impact on air quality, unless measures to mitigate or offset their emissions and impacts have been incorporated.”

LPD 32 - Amenity states “Planning permission will be granted for development proposals that do not have a significant adverse impact on the amenity of nearby residents or occupiers, taking into account potential mitigation measures”.

LPD 33 – Residential Density sets out that proposals for residential development will not be granted unless they are above a residential density of 30 dwellings per hectare.

LPD 35 – Safe, accessible and Inclusive Development provides detail on how development can create attractive, safe, inclusive and healthy environments

LPD 37 – Housing Type, Size and Tenure states “Planning permission will be granted for residential development that provides for an appropriate mix of housing, subject to housing need and demographic context within the local area.”

LPD 40 Housing Development on Unallocated Sites lists criteria for which housing development on unallocated sites will be assessed against.

LPD 57 Parking Standards sets out the requirements for parking.

LPD 61 – Highway Safety states “Planning permission will be granted for development proposals which do not have a detrimental effect on highway safety, patterns of movement and the access needs of all people.”

Appendix D – Requirement for Parking Provision in Residential and Non-Residential Development.

7.0 Principle of Development

- 7.1 The site is located within the built-up area of Carlton where the principle of further residential development is considered acceptable by Policy LPD 40 (Housing Development on Unallocated Sites) which states that;-

“Planning permission will be granted for residential development on unallocated sites that are not within the Green Belt provided [that certain criteria are met.]”

The criteria referred to in Policy LPD 40 relate to design, loss of important features, residential amenity and parking. These issues are explored in detail throughout this report as well as an assessment of the proposal against other relevant planning policies.

8.0 Design / Visual Amenity

- 8.1 I consider the design of the amended proposal to be acceptable and to not have an unacceptable impact on the character or visual amenity of the area.
- 8.2 Concerns were raised regarding the original scheme which proposed a total of 13 no. units at the site all of which were either 3-storey or two-and-a-half storey. The number of units proposed was considered to be an overdevelopment of the site and the height of the proposed buildings was considered to be out of keeping with the surrounding area. Properties on Third Avenue are bungalows (albeit one appears to have a room in the roof). Properties on Standhill Avenue are a mix of single storey, one-and-a-half storey and two-storey dwellings.
- 8.3 Following negotiations with the applicant, the scheme was reduced to 9 no. dwellings all of which are two-storey. The ridge heights of the proposed buildings have also been reduced. I consider these to be more in keeping with the character of the surrounding area.
- 8.4 A condition should be added to the grant of any planning permission removing permitted development rights for alterations to the roof of the dwelling. This way, any such works (including the insertion of windows) would require planning permission.
- 8.5 Concerns were also raised that the previous scheme was dominated by frontage car parking – all dwellings and apartments had car parking to the front with little room for soft landscaping. Following negotiations with the applicant, this part of the scheme has been amended with only two of the dwellings now accessed directly from Standhill Avenue and the remainder from a private driveway.
- 8.6 The design of the corner dwelling located to the north of the site has been amended so that it is a dual aspect dwelling, ensuing there are no blank elevations facing the street.

8.7 In order to ensure the finish of the proposal is acceptable, conditions should be added to cover the following;- materials, boundary treatment, hard landscaping and soft landscaping.

8.8 Whilst the proposal has been reduced from 13 units to 9 units, the scheme does still comply with Policy LPD 33 (Residential Density) which states that;-

“Planning permission will not be granted for proposals for residential development of less than 30 dwellings per hectare.”

The amended scheme has a residential density of 48.6 dwellings per hectare which is clearly not less than 30 dwellings per hectare and therefore policy compliant.

Policy LPD 33 also states that;-

“Residential developments with higher densities will be supported provided that this reflects local characteristics and does not harm the character of the area.”

For the reasons stated in Section 8 of this report, I consider that the proposal does reflect local characteristics and does not harm the character of the area.

8.9 I consider that the overall design and layout of the amended proposal complies with the relevant planning policies set out in Section 6 of this report. In particular, it complies with the objectives of the National Planning Policy Framework and the Aligned Core Strategy Policy 10 and Policies LPD 35 and 40.

9.0 Impact on Residential Amenity

9.1 I consider that the amended proposal will not have an unacceptable impact on the residential amenity of occupiers of neighbouring properties.

9.2 Concerns were raised regarding the previous scheme. In particular, it was considered that the proposed 3 and 2.5 storey dwellings that address Third Avenue, would lead to an overbearing impact upon the existing dwellings to the north of the site. The applicant was advised that the mass of the development as proposed should be reduced to a maximum of 2 stories in order to address both the impact upon the street scene and the impact upon residential amenity.

9.3 Amended plans were submitted addressing the above issue. As stated in the “design” section of this report above, a condition should be added to the grant of any planning permission removing permitted development rights for alterations to the roof of the dwelling. This way, any such works (including the insertion of windows) would require planning permission.

9.4 Further, the properties that run parallel to Third Avenue are now set back within their plots by the length of their rear gardens. This means that separation distances between these proposed properties and the existing properties on Third Avenue are in excess of 22 metres. This is considered to

be a sufficient separation distance between a 2-storey and single-storey dwelling so as to not cause unacceptable issues of massing / overshadowing or overbearing. This is taking into account the difference in levels at the site.

- 9.5 When revising the plans, the applicant was advised that they needed to be mindful of the relationship of the proposed dwellings towards the west of the plot (at the end of the private driveway) and the existing property, no. 77 Highfield Drive and its rear garden which back on to the site. The dwelling proposed is 1.3 metres to the shared boundary and approx. 11 metres to the dwelling itself. The applicant has designed this dwelling with a lowered roofline sloping away from no. 77 (it is 4.95 metres to the eaves and 8.065 metres to the ridge). Given the fact that no. 77 is on higher land than the site itself, I consider these measurements to be acceptable and do not consider that the proposal will cause unacceptable issues of massing / overshadowing or overbearing. This property has also been designed so that there are no first floor side windows facing no. 77. As such, there are no direct overlooking issues.
- 9.6 With regards to no. 9 Standhill Avenue (to the south west of the site), the adjacent proposed dwellings do not extend further forwards or rearwards of this existing property by a significant amount and as such do not cause unacceptable issues of massing / overshadowing or overbearing onto the main aspect windows to the front and rear of the site. The side windows at the existing property are predominantly screened by boundary treatment. The proposal is 4.7 metres away from the side elevation of no. 9. This is considered to be sufficient for two side elevations facing one another. This is taking into account the fact that the new dwellings are 2-storey whereas no. 9 is single storey and also the fact that no. 9 is on higher land.
- 9.7 I consider that separation distances between proposed dwellings are acceptable and that each dwelling is served by sufficient private amenity space.
- 9.8 All other existing neighbouring properties are considered to be a sufficient distance away so as to not be unacceptable affected by issues of massing / overshadowing, overbearing or overlooking.
- 9.9 I consider that the proposal complies with the relevant planning policies regarding amenity set out in Section 6 of this report. In particular, it complies with the objectives of the National Planning Policy Framework Policies LPD 32 and 40.

10.0 Highway Safety

- 10.1 A pair of semi-detached dwellings are proposed to the western corner of the site with 2 no. car parking spaces in front of each dwelling accessed from Standhill Avenue. A private driveway is also proposed from Standhill Avenue to access the remainder of the site. 2 no. allocated parking spaces are proposed per dwelling.
- 10.2 Neighbours have raised concerns regarding both parking and access. However, the Highway Authority state that the amended plans address all of

their original concerns (see Consultations section of this report). The Highway Authority now have no objection to the proposal subject to conditions.

- 10.3 The Highway Authority has further clarified that the immediate highway network can facilitate the level of traffic likely to be generated by the proposal and that the number of parking spaces proposed is satisfactory.
- 10.4 I am satisfied that the Highway Authority has fully assessed access issues at the site and see no reason to disagree with their professional advice.
- 10.5 Policy LPD 57 (Parking Standards) permits development which meets the requirements for car parking provision as set out in Appendix D of the Local Planning Document, or otherwise agreed by the Local Planning Authority.
- 10.6 The amended plans show each new dwelling to have 2 no. allocated car parking spaces. This equates to a total of 18 no. car parking spaces.
- 10.7 Appendix D of the Local Planning Document states that for residential development of 6 or more dwellings in a built-up area, a 3-bedroom dwelling should have 2 no. allocated car parking spaces. On top of this there should also be 0.3 unallocated spaces per dwelling. As such the applicant was asked to explore whether an additional 3 no. off-site car parking spaces could be provided.
- 10.8 The applicant responded that this would not be possible and that they did not consider a further 3 no. car parking spaces would be necessary as the site is located in a sustainable location close to local services and public transport. They also considered that there was sufficient space to accommodate any additional car parking on the existing public highways.
- 10.9 Appendix D of the Local Plan does state that the unallocated requirement may be acceptable on-street and that there are circumstances that require a departure from the policy. As such, the Highway Authority were made aware of the situation and commented that they considered that in this case 2 spaces per dwelling is satisfactory without the need for further unallocated parking.
- 10.10 In summary, for the reasons stated above, I see no reason to disagree with the professional comments of the Highway Authority and consider that access and parking at the site are acceptable. I conclude that the proposed car parking provision is in accordance with LPD 57 and that the proposed access arrangements comply with LPD 61.

11.0 Other Issues

- 11.1 Neighbours have raised concerns that there was previously Japanese Knotweed at the site and that this may not have been treated properly.
- 11.2 Japanese Knotweed is controlled by the Environment Agency who are the body responsible for granting an environmental permit to deal with this issue. This is a system separate to that of the planning system. The Environment Agency has raised no objection to the proposal but has provided advice

regarding Japanese Knotweed which has been forwarded to the applicant for information.

- 11.3 For additional clarity, an informative should be added to the grant of any planning permission notifying the applicant of their responsibility to deal with Japanese Knotweed.
- 11.4 I agree with the comments of the Scientific Officer regarding the inclusion of conditions covering contamination and air quality.
- 11.5 In line with the comments from Notts Wildlife Trust, an informative regarding measures to be put in place if vegetation is to be removed during bird breeding season should be added to the grant of any planning permission.
- 11.6 The applicant has confirmed that, to the best of their knowledge, the site location plan is drawn correctly and have made the statutory declarations when completing the planning application form.
- 11.7 Devaluation of properties and loss of view are not material planning considerations and therefore I cannot afford them significant weight.
- 11.8 With regards to Flood Risk, the whole of the site is located within Flood Zone 1. Neither the Environment Agency nor the Lead Local Flood Risk Authority has objected to the application.
- 11.9 A condition can be attached requiring ground and floor levels to be agreed.
- 11.10 A neighbour has raised concerns that when they bought their bungalow they were informed that there existed a Planning Restriction which limited the roofline of properties to the lower end of Standhill Avenue, to be of single storey or split-level proportions. I am unaware of such a restriction. Having carried out a planning history of the site itself I cannot see evidence of any such restriction. In any case, any grant of planning permission does not override any legal issues associated with the site.
- 11.11 A neighbour has commented that the existing trees facing Third Avenue should remain outside of new garden fencing so that new owners do not remove them. Precise details of soft landscaping should be agreed by way of a planning condition.
- 11.12 Neighbours have raised concerns that the consultation period was during the Covid-19 lockdown. Not all residents had access to the internet to view the plans and the Council offices were closed. With the applicant's permission, paper copies of plans were posted to residents who requested this. I am satisfied that the correct consultation procedure has been followed in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015
- 12.0 Conclusion
- 12.1 The proposed development is consistent with local and national planning policies. The design of the proposal is considered to be acceptable and does

not have an unacceptable impact on the visual amenity of the area. The proposal will not have an unacceptable impact on the residential amenity of occupiers of neighbouring properties in terms of overlooking or massing / overshadowing. Parking and access at the site is acceptable. It is considered that the proposal is appropriate for its context and is in accordance with the NPPF, Policies A, 1, 8 and 10 of the ACS and Policies LPD 11, 32, 33, 35, 37, 40, 57 and 61 of the LPD.

13.0 Recommendation: GRANT PLANNING PERMISSION subject 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 completed in accordance with the submitted documents;-

Application Forms, received 30th April 2019

Drawing no. 721 005 Rev J "House Plot Type 3 - Proposed Floor Plans & Elevations," received 10th July 2020

Drawing no. 721 007 Rev K "House Plot Type 5 - Proposed Floor Plans & Elevations," received 15th April 2020

Drawing no. 721 003 Rev J "House Plot Type 1 - Proposed Floor Plans & Elevations," received 2nd April 2020

Drawing no. 721 004 Rev J "House Plot Type 2 - Proposed Floor Plans & Elevations," received 2nd April 2020

Drawing no. 721 006 Rev J "House Plot Type 4 - Proposed Floor Plans & Elevations," received 2nd April 2020

Drawing no. 721 002 Rev J "Proposed Site Plan, Block & OS Plans," received 2nd April 2020

Drawing no. 721 001 Rev A "Existing Block & OS Plans," received 2nd April 2020

The development shall thereafter be undertaken in accordance with these plans/details.

- 3 No above ground construction works shall commence until samples of the proposed external facing materials to be used in the 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.
- 4 No building shall be occupied until a detailed scheme for the boundary treatment of the site, including position, design and materials, and to include all boundaries or divisions within the site, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed before the buildings are first occupied or such other

timetable as may first have been agreed in writing with the Local Planning Authority.

- 5 No development shall be commenced until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These works shall be carried out as approved prior to the first occupation of each dwelling. These details shall include:

a schedule (including planting plans and written specifications, including cultivation and other operations associated with plant and grass establishment) of trees, shrubs and other plants, noting species, plant sizes, proposed numbers and densities. The scheme shall be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species. an implementation and phasing programme.

existing trees and hedgerows, which are to be retained pending approval of a detailed scheme, together with measures for protection during construction.

hard surfacing materials

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (and any order revoking, re-enacting or modifying that Order), other than development expressly authorised by this permission, there shall be no development under Schedule 2, Part 1 of the Order in respect of:

Class B: Additions etc to the roof of a dwellinghouse

Class C: Other alterations to the roof of a dwellinghouse

or Schedule 2, Part 2 of the Order in respect of:

Class B: Means of access to a highway

- 7 No part of the development hereby permitted shall be brought into use until dropped vehicular footway crossings are available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.
- 8 No part of the development hereby permitted shall be brought into use until the redundant site accesses that has been made redundant and are permanently closed and the access crossings are reinstated to full height kerbs and footway in accordance with details to be first submitted to, and approved in writing by, the Local Planning Authority.
- 9 No part of the development hereby permitted shall be brought into use until the visibility splays are provided in accordance with the approved plans. The area within the visibility splays referred to in this condition shall thereafter be kept free of all obstructions.
- 10 No part of the development hereby permitted shall be brought into use until the private access road and drives/ parking areas are surfaced in a bound

material (not loose gravel). The surfaced drives and parking areas shall then be maintained in such bound material for the life of the development.

- 11 No part of the development hereby permitted shall be brought into use until the access road and driveways/ parking areas are constructed with provision to prevent the unregulated discharge of surface water from the driveways and parking areas to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
- 12 No part of the development hereby permitted shall be brought into use until the access is constructed with a gradient not exceeding 1 in 20 for a distance of 5m from the rear of the highway boundary, and never exceeds 1:12 thereafter, in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.
- 13 No part of the development hereby permitted shall be brought into use until the bin store has been constructed and positioned in accordance with drawing number 721 002 RevJ.
- 14 In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements of the Local Planning Authority, 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.
- 15 Prior to occupation, each off street parking space shall incorporate a suitably rated electrical socket to allow 'Mode 2' charging of an electric vehicle using a standard 13A 3 pin socket and a 3m length cable. All EV charging points shall be clearly marked with their purpose and their purpose drawn to the attention of new residents in their new home welcome pack / travel planning advice.
- 16 Prior to commencement of the development a Construction Emission Management Plan (CEMP) for minimising the emission of dust and other emissions to air during the site preparation and construction shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must be prepared with due regard to the guidance produced by the Council on the assessment of dust from demolition and construction and include a site specific dust risk assessment. All works on site shall be undertaken in accordance with the approved CEMP unless otherwise agreed in writing by the Local Planning Authority.
- 17 No part of the development shall be commenced until details of the existing and proposed ground and finished floor levels of the site and approved building[s] have been submitted to and approved in writing by the local planning authority. The development shall be carried out thereafter in

accordance with the approved details unless otherwise 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 In the interests of visual amenity
- 4 In the interests of visual amenity
- 5 In the interests of visual amenity
- 6 To ensure that the local planning authority retains control over the specified classes of development normally permitted under the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any amending legislation) in the interests of visual amenity, residential amenity and highway safety.
- 7 In the interests of highway safety
- 8 In the interests of highway safety
- 9 To maintain the visibility splays throughout the life of the development and in the interests of general Highway safety.
- 10 To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc).
- 11 To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
- 12 In the interests of Highway safety.
- 13 To enable the bins to be collected by the refuse team on collection day.
- 14 To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 178 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
- 15 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration Chapter 9 of the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
- 16 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and

takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.

17 In the interests of residential and visual amenity

Reasons for Decision

The proposed development is consistent with Gedling Borough planning policies. The design of the proposal is considered to be acceptable and does not have an unacceptable impact on the visual amenity of the area. The proposal will not have an unacceptable impact on the residential amenity of occupiers of neighbouring properties in terms of overlooking or massing / overshadowing. Parking and access at the site is acceptable. It is considered that the proposal is appropriate for its context and is in accordance with the NPPF, Policies A, 1, 8 and 10 of the ACS and Policies LPD 11, 32, 33, 35, 37, 40, 57 and 61 of the LPD.

Notes to Applicant

With regards to condition 15 - Optionally, a suitable 'IEC 62196' electrical socket (minimum rated output of 3.7kw /16A) can be provided in addition to the standard 13A 3 pin socket to allow 'Mode 3' charging of an electric vehicle. Mode 3 charging, using a suitable cable and charging point, allows faster charging of electric vehicles. All electrical circuits/installations shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation (2015).

The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2019). 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 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.

It is the land owner's responsibility to ensure that any Japanese Knotweed at the site is / has been dealt with correctly. For further advice regarding this issue, please contact The Environment Agency enquiries@environment-agency.gov.uk or 03708 506 506.

The grant of planning permission does not override any civil legal matters associated with the site or surrounding area.

No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared 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).