

Planning Report for 2020/0108



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.
Reproduced with the permission of the Controller of H.M. S.O. Crown Copyright. Licence No LA100021248.
Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Report to Planning Committee

Application Number: 2020/0108

Location: Redhill Pavilion, Thornton Avenue, Redhill

Proposal: Change of use of pavilion building and Groundsman's cottage to day nursery along with external alterations to the building, a single storey extension, erection of 2.4m palisade fencing, change of use of farmland to a car park associated with the day nursery and creation of new footpath adjacent to existing Bridleway

Applicant: Happy Munchkin Day Nursery – Mr Reece Oliver

Agent:

Case Officer: Nicolla Ellis

This application has been referred to Planning Committee by the Planning Delegation Panel to allow the impact of the development upon the openness of the Green Belt and highway/public safety to be considered.

1.0 Site Description

1.1 The application site comprises a former pavilion and groundsman cottage which is currently derelict and in a state of disrepair. The building is single storey in height, predominantly brick built with a flat roof. Surrounding the site the area is mostly grassed with an access driveway. The front boundary of the site occupies several mature trees as well as a thick hedgerow.

1.2 The site is washed over by the Nottingham-Derby Green Belt and is bounded by tall hedgerows with fields surrounding the site. The site is located to the north of Thornton Avenue and is accessed via a bridleway which is hard surfaced and leads to a farm approximately 300m to the north. It is understood that the property has an agreed right of way over the byway which is owned by the farm. Approximately 120m to the SE are residential properties situated along Thornton Avenue.

2.0 Relevant Planning History

2.1 No planning history.

3.0 Proposed Development

- 3.1 Planning permission is sought for change of use of the building to a day nursery (D1 use class), along with the erection of extensions, fencing, a new tarmac path and the change of use of surrounding agricultural land to a car park. The nursery would provide places for 54 children aged 0-4 years, separated into three rooms – baby care, toddler and pre-school.
- 3.2 In terms of alterations to the building, the building is proposed to be renovated with changes to the existing fenestration providing additional glazing, as well as the addition of a palette of materials to clad the building including zinc, timber and concrete render to improve the insulation of the building.
- 3.3 An extension is proposed to rear of main entrance in the centre of the building which would have a footprint of approximately 10m² and would have a flat roof to match the existing built form.
- 3.4 Other additions to the building include the erection of a polycarbonate canopy to the rear elevation (west) of the building covering an area of approximately 59m². Outdoor play areas would be created to the east and west of the building.
- 3.5 The proposal also seeks change of use of agricultural land to a car park for the nursery. This would include the hard surfacing of the land to create 13 no. parking spaces (3 of which would be disabled spaces).
- 3.6 The proposal also seeks to include a tarmacked pedestrian access from edge of the footpath on Thornton Avenue to the site which would run to the SW of the hedgerow running along the bridleway. The entrance to the footpath would have a 2.4m palisade gate with a low boundary treatment running along the side of the footpath adjacent to the field.
- 3.7 Surrounding the site, the application proposes 2.4m high palisade fencing.
- 3.8 For awareness, the proposal has been amended several times since its submission to address concerns raised by the Highway Authority and Public Rights of Way team, as well as to amend errors in the application highlighted during the course of the application. This report and assessment relates to the amended plans and documents submitted on 14th September 2020.

4.0 **Consultations**

- 4.1 **Neighbouring properties** were consulted and a site notice was placed on 9th March 2020. In total, up to 5th October 2020, 38 letters have been received in objection from 21 residents and 12 letters have been received in support of the application. The comments raised are summarised below:

Concerns:

- Increased traffic along Thornton Avenue, which already struggles to accommodate farm vehicles and HGVs
- Increased pedestrian use of the bridleway by those attending the nursery could cause an accident with large vehicles serving the farm along the bridleway, particularly as there is no pavement

- Vehicle and pedestrian safety in dark winter months along the narrow lane
- Change of use of the farmland to car park would have an impact upon the environment and conservation of the farmland
- Increased car emissions on Thornton Avenue would have physical and mental impacts upon local residents
- There is sufficient early years' childcare in the Redhill area and therefore do not require an additional nursery
- Ofsted have no published inspection report for the pre-school and therefore no confirmation of its long-term viability
- Negative impact upon wildlife
- Increased noise
- Potential future expansion of the nursery
- Damage caused by vehicles to the highway
- Proposals out of keeping for the area
- Impact upon value of nearby residential properties
- Loss of privacy
- Hedgerow should not be removed
- The proposed gate access would increase the number of parked vehicles on Thornton Avenue, making the current situation with passing large vehicles worse
- There are bats roosting in the building and trees within the development site
- The letter from the agent dismisses the traffic impacts but they do not appear to be a qualified expert in highway safety.
- Reference to the possible bus-route from Leapool Island is unlikely to be constructed in the foreseeable and indeed to infer that users of the nursery may use the bus access facility is fatuous as the cost of bus would be prohibitively high for such a short journey; the same writer suggests that the vast majority of users would be from the Redhill area anyway.
- Fabric of building has deteriorated for at least 20 years and is considered to be beyond repair at a reasonable cost. There is likely to be substantial amounts of asbestos yet there is no mention of an asbestos survey.
- The 2.4m security fence is intrusive.

Support:

- Benefits council and local residents through transforming a currently dangerous and vandalised property and provides a well-needed childcare facility in a unique natural setting.
- It will make a great learning environment for children who can spend more time outdoors
- Creation of additional jobs
- Support for the existing pre-school set up

4.2 **Nottinghamshire County Council Highways and Public Rights of Way teams** have been consulted and initially the Public Rights of Way team initially raised an objection to the proposal from a public right of way perspective, however following amendments received on 14th September, the objections have been removed, subject to conditions relating to the provision of the car park and pedestrian access path.

The Highway Authority also advised that the junction onto the A60 and the link between the adopted highway and the Public Right of Way are both satisfactory

to accommodate the increase in vehicles that would be likely to be generated as part of the proposal.

- 4.3 **GBC Scientific Officer** has been consulted and has recommended conditions relating to electric vehicle charging points and construction emission management plan and an advisory note regarding land contamination and the removal of asbestos).
- 4.4 **GBC Conservation and Heritage Officer** has been consulted and has raised no objection to the overall scheme but has advised that the use of polycarbonate roofs to the open sided extensions should be avoided as this will not be a durable material and will fade in appearance over time and may be difficult to clean and does not complement its location.

Further comments were received on the amended proposal also suggesting that any low level fencing should be timber post and rail to complement the rural setting of the site along the pedestrian access. The proposed palisade gate entrance to the end of the footpath where it meets the road will appear incongruous and a more sympathetic design in this location should be considered.

- 4.5 **Sport England** have been consulted and advised that the loss of any sports facility should be considered against Paragraph 97 of National Planning Policy Framework (NPPF).
- 4.6 **Press notice**

Following the consultation with the Planning Delegation Panel and the decision to refer the application to Planning Committee, on preparing the report it became clear that the advertisement of the departure had not been made. The application was advertised in the press on the 10 October 2020.

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'.

6.0 **Development Plan Policies**

- 6.1 The following policies are relevant to the application:

6.2 **National Planning Policy Framework 2019**

The National Planning Policy Framework (2019) sets out the national objectives for delivering sustainable development. The following section are particularly relevant to this application:

Section 8: Promoting healthy and safe communities

Section 9: Promoting sustainable transport

Section 12: Achieving well-designed places

Section 13: Protecting the Green Belt

6.3 Greater Nottingham Aligned Core Strategy Part 1 Local Plan

The following policies of the Adopted Aligned Core Strategy (ACS) 2014 are pertinent to the determination of this application:

Policy 3: The Green Belt

Policy 10: Design and enhancing local identity

6.4 Local Planning Document (Part 2 Local Plan)

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

Policy LPD 12: reuse of buildings within the Green Belt

Policy LPD13: Extensions to Buildings within the Green Belt

Policy LPD 19: Landscape character and visual impact

Policy LPD 32: Amenity

Policy LPD 57: Parking Standards

Policy LPD 58: Cycle routes, recreational routes and public rights of way

Policy LPD 61: Highway Safety

7.0 **Planning Considerations**

Principle of Development

7.1 The proposed building is located within the Nottingham-Derby Green Belt where development is considered to be inappropriate unless it falls within one of the exceptions listed in paragraphs 145 and 146 of the NPPF. Inappropriate development is by definition harmful to the Green Belt and should not be approved unless there are very special circumstances.

7.2 The proposal seeks to reuse the building as a nursery, along with associated extensions and alterations to the building. Paragraph 146 of the NPPF and Policy LPD12 of the LPD consider the reuse of buildings to be an appropriate form of development providing the building is of permanent and substantial construction.

- 7.3 The proposal also include a change of use of agricultural land and engineering works to form a car parking area and a pedestrian footpath to be associated with the proposed nursery. Changes of use of land are not considered appropriate within the Green Belt by the NPPF unless it is in connection with outdoor sport or recreation, or for cemeteries and burial grounds (paragraph 146 of the NPPF).
- 7.4 Given the above, the development as a whole is inappropriate. The merits of each part of the development, and a full assessment against planning policy is discussed in the sections below.

Impact on the openness of the Green Belt

- 7.5 The proposal would bring back into use a redundant building which, in principle, is considered to be an appropriate form of development by paragraph 146 of the NPPF and Policy LPD12 of the LPD providing the building is of permanent and substantial construction; I have no evidence before that that would suggest the building was not of sound construction although no feasibility study or conservation method statement confirming this has been submitted, as required by Policy LPD 12 of the LPD. Given the issues discussed later in this assessment, it was considered unreasonable to ask the applicant to undertake additional work for the application, incurring additional expense for the applicant. However from visiting the site and assessing the plans, much of the building is to be retained with very limited rebuild or demolition which suggests that the building is capable of conversion.
- 7.6 Paragraph 146 does however caveat this acceptability by stating that this form of development is considered to be appropriate providing it preserves the openness of the Green Belt. As such, whilst the principle of the change of use of the building is considered to be appropriate development within the Green Belt, the associated works and development proposed to facilitate this change of use need to be assessed in terms of their impact upon the openness of the Green Belt.
- 7.7 Turning first to the proposed extensions to the building, there is a small extension to the rear of the main entrance proposed, along with the erection of a canopy to the rear of the building, which, whilst it would be open-sided, would still result in additional built form and useable floor area and such needs to be taken into account. The external floorspace of the existing building is 376m² and the proposed additions would add a further 69m² to the building, equating to an 18% increase in floorspace. Policy LPD 13 of the LPD allows extensions to buildings within the Green Belt providing they do not cumulatively result in more than a 50% increase in floorspace over the original building. This is reflected in Paragraph 145 of the NPPF which states that extensions could be considered appropriate development provided extensions are proportionate to the host building.
- 7.8 The extensions would be single storey in nature and would sit subservient to the host building. The additions would be visible from the wider landscape, particularly to the rear, however they would be read within the setting of the existing building, with some infill built form and as such, I consider the proposed extensions to the dwelling to be appropriate within the Green Belt.

- 7.9 Turning next to the proposed change of use of agricultural land to a car park and pedestrian access, this would materially alter the appearance of the land within the Green Belt and would result in the loss of open land, which Green Belt policies seek to preserve. The proposed car park would result in almost 550m² of hardstanding where there is currently farmland, with the proposed footpath measuring 100m in length and 1.85m in width, resulting in a considerable length of hard surfacing bounded by fencing. Whilst I appreciate that the car park and pedestrian access would not accommodate additional structures (with the exception of fencing), the addition of hardstanding and the general use of this part of the land would detract from the rural appearance of the site, urbanising the landscape and thus resulting in harm to the Green Belt; the uses could attract further structures or associated paraphernalia in the future, further damaging the setting. The principle of the change of use of the land and associated engineering works would therefore be contrary to the aims of Green Belt Policy.
- 7.10 The applicant has argued that the construction of the car park would be considered an engineering operation, which are considered to be appropriate forms of development within the Green Belt. However, I disagree with this view as the land is not currently a parking area or pedestrian footpath, nor indeed part of the curtilage of the existing building and therefore in order to accommodate the car park and footpath, the associated curtilage would need to be extended and the land changed from agricultural use; a change of use, as well as an engineering operation, would therefore occur and this is development. Furthermore, the additional area to be given to the proposed nursery would be approximately 733m² to facilitate the car park and footpath, which I consider to be a substantial area and 65% increase in curtilage.
- 7.11 In addition to the above, the proposal also seeks to install a 2.4m metal palisade fence around the entire site as well as entrance gates to the front of the site and pedestrian access. The current boundary treatments are natural and reference the traditional field boundaries surrounding the site; the addition of metal fencing would in my view be inappropriate for the rural setting, again urbanising the site and going against the aims of local and national Green Belt policy. For the purposes of the Act the term building includes any structure or erection and therefore includes fences. Fences and gates are not listed as exceptions for the purposes of paragraph 145. I therefore consider that the installation of the fencing and gate would be inappropriate development for the purposes of paragraphs 145 and 146 of the NPPF. The development, because of its inappropriateness would, by definition, be harmful to the Green Belt and I am of the view that substantial weight should be given to that harm.
- 7.12 The site is readily visible from the surrounding landscape and thus the addition of substantial metal fencing would, in my view, be visually harmful when read within the landscape and as such would be harmful to the character of the Green Belt. I acknowledge the applicant's offer of planting a hedgerow around the fencing however this would be difficult to enforce its retention in the future.
- 7.13 I also acknowledge that the use of the site as a day nursery does require additional security for the safety of the children, and as such fencing for security purposes could in the case of this proposed use be considered a very special

circumstance in line with Section 13 of the NPPF. However there are more appropriate boundary treatment options that could be explored to provide sufficient security and as such I do not consider the proposed fencing submitted with this application to be appropriate within the Green Belt setting.

- 7.14 The NPPF does state that where there are very special circumstances identified for a proposal that these may outweigh the harm to the Green Belt. The applicant has not identified any very special circumstances that the LPA should give weight to and whilst I note the applicant seeks a larger premises to grow the nursery business, there has been no justification provided as to why the business needs to be located in the pavilion rather than alternative sites and therefore this would not in my view represent a very special circumstance. Similarly, the improvements to the building are welcomed but are not considered so exceptional that they would outweigh the harm
- 7.15 Given the above, I am of the view that the change of use of the land and engineering works required to create the proposed carpark and footpath to facilitate the use of the building as a day nursery are inappropriate forms of development and do not meet the aims of Section 13 of the NPPF or LPD12 of the Local Planning Document. Whilst there is some merit in bringing the building back into use and improving the site's appearance within the Green Belt, I do not consider the benefits of the scheme to outweigh the harm upon openness of the Green Belt that local and national planning policy seek to preserve. There have been no very special circumstances brought forward that would outweigh the harm to the Green Belt.

Character and appearance of the area

- 7.16 The character of the area is predominantly rural, and whilst I am mindful that the edge of the built up area of Redhill sits 120m to the SE of the site, the site is very much read within the back drop of the surrounding fields rather than the urban setting relatively close by. The existing building is isolated and well-screened by hedgerows, which I understand to the front would be retained although it has not been made clear whether other parts of the hedgerow would be retained; in any event it would be difficult to enforce that this hedgerow is retained in perpetuity and should not be a determining factor in concluding the development is acceptable.
- 7.17 The site is currently derelict and therefore a proposal to improve its appearance is welcomed in principle and I am of the view that the proposed alterations and extensions to the existing building would improve the appearance of the building within the immediate area and would be subservient in scale to the host building. I do however somewhat concur with the Council's Conservation and Heritage Officer regarding the use of some materials and had the proposal been acceptable in all other respects, I would have entered into discussions with the applicant with a view to better improve the appearance of the building.
- 7.18 However, alongside the changes to the building to provide the day nursery, there is the proposed change of use of the land to a parking area and pedestrian access which would extend the curtilage associated with the building into the surrounding fields. This would alter the appearance of the immediate area, encroaching upon the surrounding countryside and could, in the future, lead to

associated paraphernalia or street furniture which would somewhat erode this rural landscape, including the use of fencing. The current building is hidden behind a thick hedge, thus limiting the longer distance views of the site from the open countryside. The proposed extension of the curtilage, along with the proposed 2.4m high palisade fencing would introduce more urban features to the landscape which would detract from the rural landscape and in turn harm the Green Belt.

- 7.19 As such, whilst there is merit in the improvements to the building, the associated infrastructure and change of use of the land required to accommodate the new use for the site, would have a harmful impact upon the character of the area and wider landscape.

Impact on the neighbours' residential amenities

- 7.20 The site is located some 120m from the nearest neighbouring properties which I consider to be a sufficient distance to mitigate any overshadowing, overlooking and overbearing impacts the proposal may have on the nearby properties. I am mindful that the proposed use would involve an increase in noise levels upon those experienced in recent years since the pavilion ceased to be used. However, the noise created by the nursery would be during acceptable working hours Monday – Friday. Due to the separation distances, I would not consider the noise likely to have an adverse impact upon neighbouring properties, however this does not outweigh the issues regarding the Green Belt.

Impact upon the Public Right of Way

- 7.21 Paragraph 98 of the NPPF requires planning decisions to protect and enhance public rights of way and access. This is backed up by Policy LPD58 of the LPD which states that planning permission will not be granted for development proposals which would prejudice the continuity of existing cycle routes, recreational routes and existing public rights of way unless the proposal includes an alternative route which is no less attractive, safe or convenient for public use or there are substantial wider benefits.
- 7.22 The site is accessed via a bridleway which is a public right of way, owned by the farm to the north of the site. Therefore, the site is not directly served by a public highway.
- 7.23 It is accepted that the lane is used by vehicles, and as noted by members of the public, this includes HGVs and tractors, however as a right of way, the public users of the lane are those on foot, horse or bicycle and they have a legal right of way of the land. People do also have a right to drive over the bridleway to access their land or property, although the lane is not maintained by a public body (in this case Nottinghamshire County Council) to a standard that is suitable for vehicles to travel along.
- 7.24 To this end, as the bridleway is not an adopted highway for vehicular use, it would be difficult to enforce any speed restrictions or safety measures to ensure the safety of users with a legal right to use the bridleway. I am mindful that the applicant has suggested they would place speed limit signs along the bridleway, however they would not be enforceable along the lane.

- 7.25 The proposed use is likely to introduce up to around 200 additional car movements along the track 5 days a week (assuming each child is dropped off and collected individually, plus staff) which has raised concerns from members of the public who are concerned with the impact this would have upon Thornton Avenue. I accept that there is some limited visibility along the lane owing to thick and tall hedgerows, and in places the lane is not wide enough for vehicles to pass and would not allow vehicles sufficient room to pass those travelling along the bridleway by horse. On this latter point, the applicant has argued that the owners of the bridleway has not seen a horse use the lane, however as they have a legal right to use the lane, the impact upon them must be considered. Further to this, both paragraph 98 of the NPPF and LPD58 of the LPD seek to ensure that public rights of way are not compromised by proposed development.
- 7.26 To this end, the additional vehicular movements could impact upon users of the bridleway and as such, the NCC Public Rights of Way team initially raised significant concerns with regards to the impact the proposed nursery would have on the users of the public bridleway, as well as the surface of the bridleway; no mitigation measures for the right of way were submitted with the initial application. In response to this, the applicant has amended the scheme to include a pedestrian access which would run along the edge of the bridleway (on the other side of the hedgerow), connecting the nursery to the pavement on Thornton Avenue. This would be tarmacked. Following consultation with the Public Rights of Way team and the Highway Authority, this proposal has addressed their concerns, offering pedestrians attending the nursery a safer route to the site, away from vehicular traffic.
- 7.27 It should be noted that the proposed pedestrian access would not be a public right of way and as such, members of the public would still be using the bridleway along with vehicles attending the proposed nursery. This has been considered by both the Highway Authority and the Rights of Way Team, as the LPA's qualified advisors in this matter, who have concluded that they raise no objection to the amended scheme, subject to conditions.
- 7.28 Aside from the above, the proposed parking area for the nursery would provide a limited number of parking spaces for parents, carers and staff to park (6 full time staff and 4 part time staff would be employed) which could lead to vehicles being parked on the bridleway during peak times, blocking it for users, although it should be noted that the car parking provision exceeds the requirements set out in Appendix D of the Local Planning Document for non-residential development which is one space per member of staff plus one additional space for shift changes. The development provides 13no. car parking spaces and it is envisaged that 10no.staff (6 full time, 4 part time) would be employed at the site.
- 7.29 I do however have concerns that the proposed pedestrian footpath could raise issues of personal safety during the winter months when drop off/pick up times are likely to be in the dark. No lighting is proposed along the access (which would have separate implications from a Green Belt perspective) and as such it does raise the issue as to practicality of this access for parts of the year. Section 8 of the NPPF does seek for developments to be accessible and safe,

so that there is no crime, or fear of crime, arising from a development. However, as the access is not likely to be used outside of typical working hours, I do not consider that this issue to be a reason for refusal.

- 7.30 Given the above, on the basis of advice offered by Nottinghamshire County Council as the Highways Authority, the proposal is considered unlikely to have any significant detrimental impact upon safety of users the public right of way.

Impact upon the Public Highway

- 7.31 Section 9 of the NPPF and Policy LPD61 require developments to ensure that there is no detrimental impact upon the public highway. As detailed above, the site itself is not accessed directly via an adopted highway, however in order to gain access to the bridleway, vehicular traffic must travel along the adopted section of Thornton Avenue and thus there would be an impact upon the public highway.
- 7.32 Thornton Avenue is accessed via the A60 (Mansfield Road), which is a main route into Nottingham, It is accepted that vehicular traffic at this junction would increase however the Highway Authority are satisfied that the junction is to an acceptable standard to accommodate the additional traffic and as such raise no objection to the proposal.

Other Matters

- 7.33 The applicant is of the view that the use of the building as a day nursery does not require planning permission as its last use of one of education, or if considered to be a sports use, would fall within a permitted change of use under Class T of Part 3 of the GPDO. Notwithstanding this issue, the alterations to facilitate the use of the building as a day nursery require planning permission and therefore there is little merit in considering simply the use of the building as that is not what the LPA have been solely asked to consider.
- 7.34 The applicant has highlighted recent press reports detailing an announcement by the Government for a £161 million transport package to improve transport in Nottinghamshire, include a £6million park and ride scheme close to Redhill roundabout that would have a possible new bus link passing close to the proposed nursery site. Clarification has been sought from the County Council and it has been confirmed that there are currently no proposals for a link road and the park and ride facility is subject to various approvals from the County Council, including planning permission. I do not therefore consider that any weight can be given to the press report.

Conclusion

- 7.35 It is accepted that the principal of the re-use of the building to a nursery is considered to be an appropriate form of development within the Green Belt, and the proposed alterations and extensions to the building would improve the overall appearance of the building whilst remaining proportionate to the original building in line with paragraph 145 of the NPPF and LPD 12 of the LPD.

- 7.36 However, in order to facilitate the use, the application proposes the change of use of the agricultural land to the north of the building and significant engineering works to provide a car park and to the south for a pedestrian footpath extending some 100m, as well as the erection of a 2.4m high fence. These changes are, by definition, considered to be inappropriate development within the Green Belt and thus considered to be harmful to the openness of the Green Belt and are not in this instance outweighed by the proposed improvements to the building, nor the requirement for a larger nursery premises.
- 7.37 Whilst I note that the proposed pedestrian footpath has been included in the scheme to address the concerns raised with regards to the public right of way, it is not considered that the merits of this footpath would outweigh the harm upon the openness of the Green Belt.
- 7.38 Given the above, I do not consider the proposal to comply with Section 13 of the NPPF, nor Policy LPD12 of the Local Planning Document and there are no merits of the scheme which would outweigh the harm identified. The proposal is a departure from the development plan and there are no material considerations that would warrant such a departure.

8.0 **Recommendation:**

- 8.1 **That Committee delegate authority to the Assistant Director – Planning and Regeneration to refuse planning permission, subject to there being no new material planning considerations raised during the period of consultation triggered by the advertisement of this application as a departure from the development plan on 10 October 2020. Should any new material planning considerations be raised during the period of consultation triggered by the advertisement of this application as a departure from the development plan on 10 October 2020 that the matter come back before Committee for determination.**

- 1 The proposed development would include the change of use of agricultural land and engineering works to create a car park and pedestrian footpath in association with the proposed nursery along with the erection of a palisade fence around the proposed planning unit. These forms of development are, by definition, inappropriate development within the Green Belt and therefore would be harmful to the openness of the Nottingham-Derby Green Belt. There are no very special circumstances or other material considerations that would outweigh this harm and therefore the proposal would be contrary to the aims of Section 13 of the National Planning Policy Framework (2019) and LPD12

8.2 **Notes to Applicant**

- 1 You are advised that as of 16th October 2015, the Gedling Borough Community Infrastructure Levy (CIL) Charging Schedule came into effect. Whilst the above application has been refused by the Local Planning Authority you are advised that CIL applies to all planning

permissions granted on or after this date. Thus any successful appeal against this decision may therefore be subject to CIL (depending on the location and type of development proposed). Full details are available on the Council's website.

- 2 Planning Statement - The application is clearly contrary to the Development Plan and other material planning considerations, as detailed in the above reason for refusal. However the local planning authority has worked positively and proactively with the applicant to make some revisions to the proposal. Whilst not all problems arising can be overcome, several potential reasons for refusal have been negated.