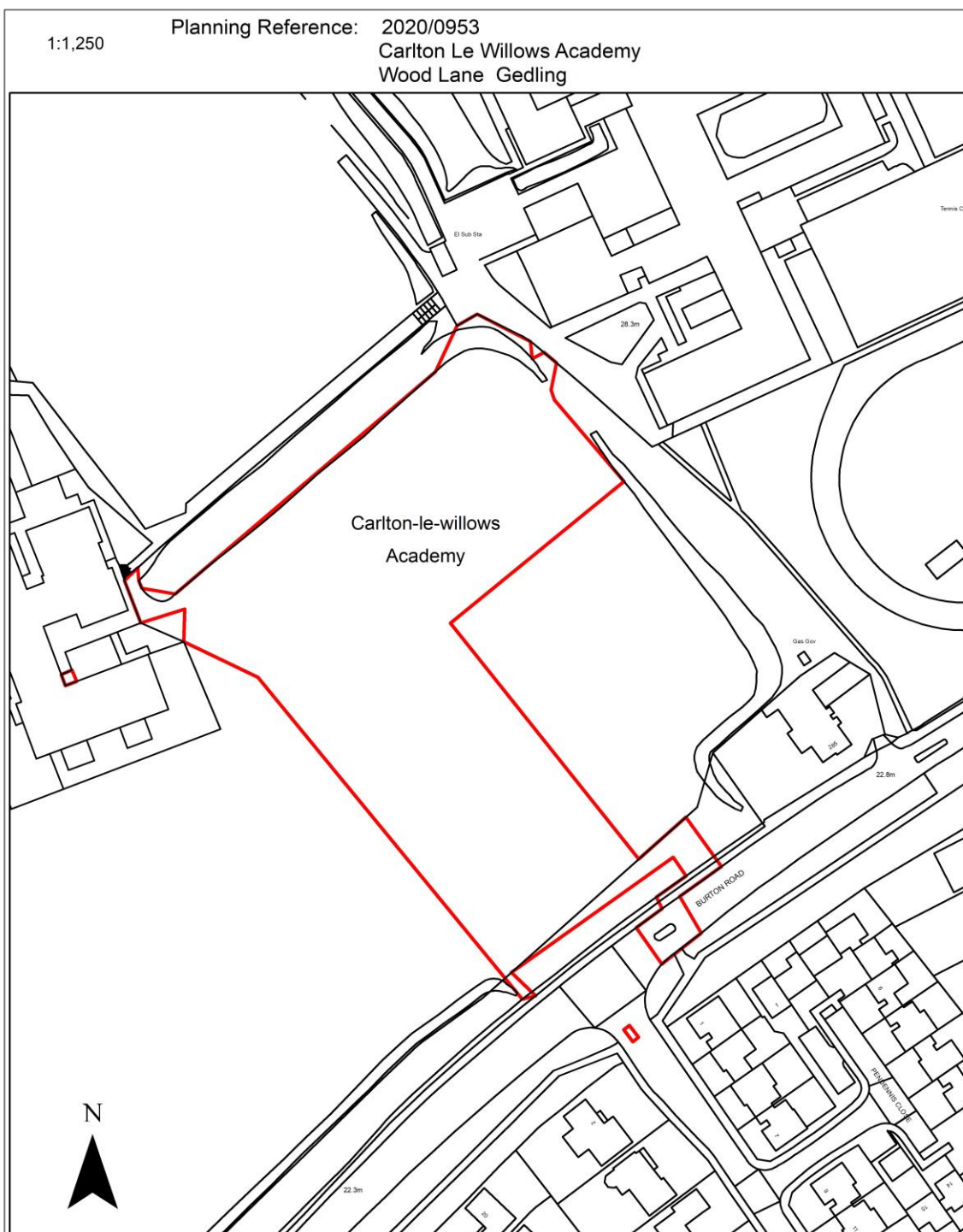




Planning Report for 2020/0953



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:	2020/0953
Location:	Carlton Le Willows Academy, Wood Lane Gedling
Proposal:	Two storey teaching block comprising 20 classrooms and associated accommodation, assembly hall, dining hall with kitchen; new access to Burton Road and highway improvements; creation of car park; replacement football pitch and alterations to existing building to create lift access and canteen pod.
Applicant:	Greater Nottingham Education Trust.
Agent:	Welham Architects
Case Officer:	Nigel Bryan

The application is referred to Planning Committee following consideration by the Delegation Panel as it is a significant departure from the development plan and to allow Members to consider relevant material planning considerations.

1.0 Site Description

- 1.1 The application forms part of the wider school site that comprises the Carlton Le Willows Academy. There are two main sections of educational buildings on site, separated by existing playing fields, with the majority two-storey in scale and flat roofed. Vehicular access to the site is from Wood Lane with a pedestrian access from Burton Road.
- 1.2 The boundaries of the wider school site are delineated by a 2m high green security fence. The school is bounded by Burton Road to the south east of the site, with residential properties beyond. To the west and north-west are residential properties. To the north are woodlands and open fields. To the north-east of the school is Gedling House, which is a grade II listed building. There is a quite significant change in levels across the application site with the land rising when heading in a northerly direction away from Burton Road.
- 1.3 The application site falls within the Nottinghamshire Green Belt and is identified as land that is protected open space, as identified as policy LPD20.

2.0 Relevant Planning History

- 2.1 2019/0821 – ‘Single Storey Enhanced Provision Unit to meet the Special Educational Needs of current students’ was granted conditional permission on the 12 November 2019.
- 2.2 2018/0836 – ‘Installation of 3G artificial grass pitch, fencing, hardstanding, flood light system, together with the erection of 1No. single storey pavilion and 1No. storage container’ was granted conditional permission on the 29th March 2019.
- 2.3 2015/1219 – Extension to existing sports hall to provide table tennis facility. Conditional consent approved on 16th December 2015, with a condition restricting the use by non-school clubs or groups between 4pm-10pm Monday to Friday during school term time or not earlier than 1 hour after the official school day ends if later than 3pm. At any other time the development shall only be available for use until 10pm. The reason for the condition was to reduce the impact upon the highway network on Wood Lane.
- 2.4 2012/0598 – Enlarge the existing canteen facilities and construct a small infill extension for toilet facilities. Conditional consent granted 19.07.2012.
- 2.5 2008/0748 – New sixth Form building & relocation of the workshop facility. Unconditional consent granted 19.12.2008.
- 2.6 2007/0532 – Provision of container based workshop for the delivery of construction training course for 14 - 16 year pupils of Carlton le Willows School. Unconditional consent granted 17.07.2007.
- 2.7 2007/0002 – Extension of music class room & addition of drama studio & ancillary facilities. Conditional consent granted 30.01.2007.
- 2.8 2004/0345 – Extension of existing school with a two storey building to create two ground floor science laboratories & first floor resource centre. Conditional consent granted 21.06.2004.

3.0 Proposed Development

- 3.1 The application comprises four distinct elements, the largest of which is a teaching block that will house 20 classrooms, assembly hall, dining hall and a new kitchen. The building will be a standalone structure sited between the two existing groups of classrooms and to the immediate south of a recently installed 3G pitch. The building will be two-storey in scale with a shallow pitch roof. Parts of the building will have a conventional window layout whilst others will have large sections of glazing creating an entrance feature. The building will be sited at a lower level than the 3G sports pitch, to the bottom of a grass bank.
- 3.2 A new vehicular access is proposed to the site along with a car park for 94 vehicles, this will include 6 electric vehicle charging points and 6 disabled parking spaces. To the front of the site will be a drop off/pick-up zone along with a turning area for vehicles and access to a bin store for refuse vehicles. To facilitate the car park three mature trees would need to be removed from

the Burton Road frontage. Four trees are also proposed to be removed close to the new bin store adjacent to the new kitchen facilities.

- 3.3 To the east of the application site are number of sports pitches utilised by the school. To the north-east of this area, in front of Gedling House, a Grade II Listed Building, is an earth bank that is not used for any formal sport. As part of this application it is proposed to carry out a number of earth works to this area to create a football pitch to replace one being lost to the front of the site.
- 3.4 Two other small alterations are proposed within the main built up area of the site; this includes a modest extension to an existing classroom to incorporate a lift access. In addition, a standalone canteen/pod is proposed close to the existing car park accessed off Wood Lane.

4.0 Consultations

- 4.1 Nottinghamshire County Council (NCC) Highways – The Highway Authority is now satisfied with the proposed vehicle access arrangements and off street parking provision; they raise no objection to the application, subject to the imposition of conditions.
- 4.2 NCC Lead Local Flood Authority – Raise no objection to the application.
- 4.3 NCC Education – Highlight that ‘this proposal is fully supported by Nottinghamshire County Council in light of the fact that there is a growing insufficiency of secondary school places in the Carlton School Place Planning Area. These much needed places can only be provided on the Carlton Le Willows site as there is no capacity on other school sites within the school place planning area’.
- 4.4 Gedling Borough Council Economic Development – a Local Labour Agreement is required.
- 4.5 Gedling Borough Council Scientific Officer – No objection but requests planning conditions relating to electric vehicle charging points and a Construction Emissions Management Plan.
- 4.6 Gedling Borough Council Arborist – following receipt of additional information in respect of further mitigation for trees to be retained close to the access point, the tree officer raises no objection to the application, subject to the imposition of conditions, to ensure trees to be retained are suitably protected during construction works.
- 4.7 Conservation Officer – notes that the main impact on the setting of Gedling House will come from the works to create the new sports pitch, which sits to its immediate front. There would be an element of minor harm from the re-grading and noise that would be generated from the use; however, the harm is likely to be limited and outweighed by the wider public benefit, although floodlights are likely to be unacceptable on the pitch.
- 4.8 Natural England – make no observations on the application.

- 4.9 Environment Agency – note the application site falls within Flood Zone 1 so is not at risk of fluvial flooding. Request that the advice of the Lead Flood Authority be sought on the application.
- 4.10 Sport England (SE) – object to the application on the grounds that there would be an overall reduction in sports provision as a result of the proposed works. They indicate that through mitigation the loss has reduced from 1 hectare to 0.5 of a hectare; however, without further mitigation to address this loss they maintain their objection to the application. SE does support wider access to the sports provision being made available but this would not override their key objection to a loss of available sporting playing pitches. Reducing the area of car parking would be a possible solution to the problem. Therefore, if the Council are minded to grant permission there would be a requirement for the proposal to be referred to the National Planning Case Work Unit/Secretary of State to determine whether or not there would be a requirement to call-in the application for determination.
- 4.11 Members of the Public – A press notice was published and a site notice displayed, both advertising the proposal as a departure from the development plan. Following receipt of additional information, further consultation has been undertaken with local residents and statutory consultees alike. As a result of consultation undertaken a total of 52 letters of objection have been received and 13 letters of support.

A summary of the reasons for objection are;

- The application site is within the green belt and this would erode its openness;
- The site is not allocated for the proposed development;
- The access would be detrimental to highway safety given the number of vehicle movements proposed;
- The background information in terms of the highways assessment is flawed and should be re-done when there is not a lock-down;
- The County Council should not be assessing the information given that VIA is inextricably linked to the development;
- Is the car parking adequate?
- Access should be taken from Wood Lane or the new GAR;
- The trees to the front of the site should be retained and protected;
- Ecology will be detrimentally impacted;
- There will be a loss of sports provision as result of the application;
- Some of the governors at the school are spreading disingenuous rumours about the development;
- The pedestrian crossing is in the wrong location;
- The increase in cars and pedestrians will, regardless of the GAR, lead to congestion in the area;
- Flooding will increase as a result of the increase in hardstanding and built form;
- The amenity of local residents will be compromised through the increase in pedestrians and vehicles;

A summary of the letters of support are;

- A new access is required for a development of this size as Wood Lane cannot cope with the traffic as it is;
- Can the Wood Lane access be closed off?
- The new access is long over-due

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 National Planning Policy Framework 2019

Sets out the national objectives for delivering sustainable development. Sections 8 (Promoting healthy and safe communities), 12 (Achieving well-designed places), 13 (Protecting Green Belt land), 15 (Conserving and enhancing the natural environment) and 16 (Conserving and enhancing the historic environment) are particularly relevant.

6.3 Greater Nottingham Aligned Core Strategy Part 1 Local Plan

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 3: Green Belt – sets out that the principle of the Nottingham Derby Green Belt will be retained.

Policy 10: Design and Enhancing Local Identity – sets out the criteria that development will need to meet with respect to design considerations.

Policy 17: Biodiversity – sets out the approach to ecological interests.

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:

LPD4: Surface Water Management - sets out the approach to surface water management.

LPD7: Contaminated land - sets out the approach to land that is potentially contaminated.

LPD11: Air quality - states that planning permission will not be granted for development that has the potential to adversely impact upon air quality unless measures to mitigate or offset have been incorporated.

LPD18: Protecting and Enhancing Biodiversity – sets out the criteria for protecting designated site, including Local Wildlife Sites.

LPD19: Landscape Character and Visual Impact – states that planning permission will be granted where new development does not result in a significant adverse visual impact or a significant adverse impact on the character of the landscape.

LPD20: Protection of Open Space – identifies the criteria against which applications will be assessed if resulting in the loss protected public open space

LPD26: Heritage Assets – highlights the criteria against which applications that affect heritage assets will be assessed along with the need to consider wider public benefits and other mitigation that may be advanced.

LPD27: Listed Buildings – identifies the need to consider impacts to listed buildings from the development proposed, as well as on their setting.

LPD32: Amenity – planning permission will be granted for proposals that do not have a significant adverse impact on the amenity of nearby residents or occupiers.

LPD48: Local Labour Agreements – sets out the thresholds where a Local Labour Agreement will be required.

LPD57: Parking Standards – sets out the requirements for parking.

LPD61: Highway Safety – states that planning permission will be granted for developments that do not have a detrimental impact upon highway safety, movement and access needs.

7.0 Planning Considerations

Green Belt

- 7.1 The site is located within the Green Belt and accordingly the relevant national and local planning Green Belt policies apply. Paragraph 134 of the National Planning Policy Framework states that the Green Belt serves five purposes:
- a) to check the unrestricted sprawl of large built-up areas;*
 - b) to prevent neighbouring towns merging into one another;*
 - c) to assist in safeguarding the countryside from encroachment;*
 - d) to preserve the setting and special character of historic towns; and*
 - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*
- 7.2 Paragraph 145 of the National Planning Policy Framework states that *a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt*. A number of exceptions are listed, however with the exception of the replacement football pitch, the development proposed does not fall within any of these categories.
- 7.3 Paragraph 146 of the National Planning Policy Framework states 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 purposes of including land within it*. Again, with the exception of the replacement sports pitch, the development proposed does not fall within any of these categories.
- 7.4 The development proposed is therefore inappropriate development within the Green Belt. Paragraph 143 of the National Planning Policy Framework states *that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances*. Paragraph 144 of the NPPF states that when considering any planning application, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Very Special Circumstances

- 7.5 In this particular application, the very special circumstances advanced is the overriding need and demand for the additional educational provision. Information submitted by the applicant and supported by the County Council demonstrates that Carlton le Willows Academy secondary school is at capacity and having regard to the number of additional dwellings that are likely to come forward at various development sites in the nearby vicinity over the coming years, including Chase Farm, Willow Farm, Teal Close and Linden Grove, there will be further increased demand for places.
- 7.6 Paragraph 94 of the National Planning Policy Framework, reproduced below, highlights the importance of providing adequate educational places for local communities and the need for Local Planning Authorities to take a proactive and collaborative approach to meeting identified requirements:

"It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should

take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and*
- b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted”.*

- 7.7 Significant weight is given to this para of the NFFP and the need for additional educational provision to meet expected demand is considered, subject to other material planning considerations, to be a very special circumstance. Such is the demand for educational provision in this location it is considered that this does amount to a very special circumstance which outweighs the potential harm to the Green Belt and would allow the Local Planning Authority to support the principle of development.

Playing field provision and protection of public open space

- 7.8 By way of summary, there are currently two full size football pitches that are roughly in the location of the proposed class rooms and car park area. Both of these will be lost in their current form; however one will be replaced with a smaller football pitch adjacent to the car park, in a similar location to the existing, whilst another pitch will be created in an area to the northeast of the site that is currently a large grass bank and has limited usability in terms of formal recreational play.
- 7.9 Sport England (SE) contest that the quality of provision will reduce in that the pitch adjacent to the car park will be smaller than the existing and the creation of the new pitch to the north east making adjoining areas less usable due to the steep banks to create the flat pitch. Overall, SE maintain that there will be a shortfall of 0.5 hectares in provision and this could be mitigated against by removing additional trees or reducing the car parking provision. The loss of additional trees is not supported on ecological grounds and reducing the size of the car park will impact on parking provision for staff. In terms of policy background, SE highlight that paragraph 97 of the NPPF, reproduced below, requires alternative provision is provided.

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*

- 7.10 Having regard to the above, it is accepted that there would be shortfall in playing field provision and all avenues have been explored by the applicant/agent to address this matter, which has seen the shortfall reduce from 1 hectare to 0.5 hectares; however, it appears that no further mitigation

is possible given the constraints of the site. Therefore, as noted above, there is a degree of conflict between the proposal and with paragraph 97 of the NPPF but this conflict would need to be weighed in the overall planning balance.

- 7.11 The application site is also on land allocated as open space within the Local Plan and falls to be determined against policy LPD20. The policy outlines similar constraints to paragraph 97 of the NPPF and indicates that permission will not be granted for development on such land, save for 5 exceptions. Criterion 3 identifies that 'the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of its usefulness, attractiveness, quantity and quality in a suitable location'. It is accepted that some of the land would be built upon and the overall usable playing field space would, as a result, reduce; however efforts have been made to reduce the impact and no further mitigation appears possible. The application is, therefore, not in accordance with policy LPD20 and guidance within paragraph 97 of the NPPF; however, this would be need to be weighed alongside other material considerations, as outlined later in this report.

Highway matters

- 7.12 Alterations to the highway network as part of the application include a new vehicular access from Burton Road, a raised zebra crossing between the new access and Beaumaris Drive, and improvements to a bus stop to the immediate west of the application site. Within the site a car park for 94 vehicles, with a drop off and collection point, is proposed. No alterations are proposed to car parking provision or access from Wood Lane. An updated Travel Plan has been submitted in support of the application along with a Transport Assessment, which has also been updated following a request for additional information from the Highway Authority.
- 7.13 The updated information has looked at the capacity of the Shearing Hill/Burton Road traffic signalised junction and notes that there is not a capacity issue at the junction and the increase at morning peak will be small and staff/students will not be travelling in the pm peak. Furthermore, once the GAR is operational, this will free-up additional capacity at the junction. In respect of the access along Burton Road there is adequate visibility along its length to ensure that highway safety would not be compromised.
- 7.14 It is apparent that the access from Wood Lane, which currently accesses the site, is narrow and struggles to accommodate the number of vehicles accessing the site. There is only a footway along one side of Wood Lane, which raises safety concerns in respect of both pupils and vehicles in the highway. A new access from Burton Road is considered to have significant highway improvements to a school that is expanding, with it unlikely that Wood Lane could cope with a further increase in vehicle numbers.
- 7.15 The Highway Authority have concluded that they have no objection to the proposal subject to the imposition of appropriate conditions to secure the improved access and parking provision. It is considered that the proposal provides a safe and appropriate access and adequate parking to serve the

development and, therefore, the proposal complies with policies LPD57 and LPD61.

Impact upon the landscape character and visual amenity

- 7.16 As a result of the application there would be a large built form on the site from both the buildings proposed and car park provision. The main built form would be two-storey and there would be views of it from Burton Road. However, the scheme has been designed to reduce the visual impact of the development through utilising the change in levels to minimise its overall mass. Furthermore, whilst the main building would be visible from Burton Road the main building would be in the region of 90m from the road and existing trees that provide a green frontage to the site will, where possible and excluding those needing to be removed to facilitate the creation of the access, be retained. Also, the main building will be sited between the two main blocks of classrooms rather than extending further eastward in a linear direction.
- 7.17 In respect of the access this will link to the edge of the site and be visible from it. However, the majority of the car park will be behind retained trees and utilise natural ground levels so the main visual impact will be horizontal in nature rather than vertical, save for when vehicles are utilising the space, which will be intermittent. As a result there will be an impact on the landscape and visual amenity of the area from the development proposed but that impact is not considered to be significant and efforts have been made to mitigate the impact in terms of the scale and siting of the main built form. As a result the impacts on landscape character and visual amenity are not considered to be significant.
- 7.18 In respect of the other areas of development, notably the modest extensions within the existing main built complex and the works to the playing field to create an additional usable pitch to the east of the main school buildings, the impact on the landscape and visual amenity of the area is considered to be minimal. The extensions are modest in scale and in the context of the existing built form would have a negligible impact on the character of the area. Furthermore, the creation of the additional playing area will largely result in a change of levels to create a more usable space and have only a minimal impact on the landscape and visual amenity of the area.
- 7.19 For the reasons outlined above and specifically with regard to the location of the proposed development, its appearance and scale, it is concluded that the proposal building would not have a significantly adverse impact upon the landscape character and visual amenity of the surrounding area and is deemed to comply with policy LPD19.

Impact on heritage assets

- 7.20 The heritage asset in the locality of the application site is Gedling House, a Grade II Listed Building. Whilst the application would result in significant built form in terms of the class rooms to be erected views between the two would be severely restricted and it is not considered that this aspect of the development would have a detrimental impact on the setting of the Listed Building. However, the alterations to the playing field to create a sports pitch

would have an impact on the setting of the building in that currently it is a grass bank whilst it is proposed to create a level playing area, along with various associated earth works. The alterations would be visible from the main front elevation of Gedling House and would create a more manicured and manmade view from the heritage asset, which would have a detrimental impact on the setting of the Listed Building. However the impact would be less than substantial and therefore, in accordance with paragraph 196 of the NPPF, should be weighed against any wider public benefits which, in this instance, is the enhancement of sports provision in the locality and increased educational provision. Furthermore, no buildings would be erected to fundamentally alter the view. As a result it is considered that there would be wider public benefits that outweigh the less than substantial harm to the setting of the Heritage Asset. Therefore, the application is deemed to comply with policy LPD27 and guidance within the NPPF (chapter 16).

Other Issues

- 7.21 A condition has been requested in respect of a Construction and Environmental Management Plan and given the scale of development proposed this is considered to be acceptable. A condition is also required to ensure that the 6 electric vehicle charging points identified are implemented, which will reduce pollution and increase the sustainability of the proposal, which is deemed to comply with policies LPD11 and ACS1.
- 7.22 Economic Development has requested that a labour agreement is secured through an appropriately worded condition, which is supported given the overall scale of development, and is deemed to comply with policy LPD48.
- 7.23 A protected species survey has been submitted in support of the application and identifies that there is considered to be no potential impacts on roosting bats, although the site may be used for foraging. Furthermore, particularly in close proximity to Burton Road, it is likely that street lights will deter bats. However, it is noted that the hedgerow and trees are likely to have a number of nesting birds within them and therefore no trees or bushes should be removed during the bird nesting season, unless supervised by a suitably qualified ecologist, an informative would need to be added to any decision notice in this regard. The application is, therefore, deemed to comply with policy LPD18.
- 7.24 Updated information in the form of an Arboricultural Method Statement has been submitted and looks at the impacts on trees, a number of which are mature and make a valuable contribution to the character of the area, but are not protected by a Tree Preservation Order. It is accepted that a number of specimens would need to be removed to facilitate access to the site and for the bin store. However, there would be a need to ensure that those to be retained are protected during construction and a plan showing this has been submitted in support of the application, along with details of how root protection areas will be protected in close proximity to the proposed development. There would be a need to ensure that trees to be retained are protected and, subject to conditions to ensure that that is the case, it is considered that the impact on trees on the site is acceptable. The application is therefore deemed to comply with policy LPD18 and LPD19.

- 7.25 Updated drawings have been submitted in respect of drainage, with regard to both foul and surface water. The Lead Flood Authority have raised no objection to the updated details, which are deemed to comply with policy LPD4.
- 7.26 Concerns has been raised in respect of impacts on resident amenity; however the overall built form would be such a distance away to ensure that any overbearing and overlooking impacts would be negligible. Whilst there would be an increase in vehicle traffic and possible noise along Burton Road it is not considered that the increase would be significant given that properties are separated by Burton Road, which has wide verges and the properties nearest the new access have rear gardens and associated boundary treatments adjacent to the site. As a result it is not considered that the proposal would have a detrimental impact on residential amenity and is deemed to comply with policy LPD32.

Planning balance

- 7.27 As outlined in this report, the application is in conflict with policies and guidance in respect of the loss of playing fields (LPD20 and paragraph 97 of the NPPF). Furthermore, the application is in the Green Belt and therefore the development should only be permitted where it could be demonstrated that very special circumstances exist to allow inappropriate development in the Green Belt. As outlined in paragraphs 7.5-7.7 of this report, it is considered that very special circumstances do exist; the overriding need and demand for additional education provision in this locality which cannot be met elsewhere. Therefore, whilst the development does not comply with open space policies, there are aspects of the development that are in full conformity with relevant Development Plan policies, notably that the development would have highway safety benefits in that an access from Burton Road is considered to a significant improvement to that currently utilised on Wood Lane. Most importantly, it is considered that significant weight should be attached to paragraph 94 of the NPPF in the determination of this application; there is an accepted shortfall in secondary places for this part of the Borough, in what is a successful school, and the demand for places is set to increase. Paragraph 94 identifies the need for Local Planning Authorities to work with school promoters and resolve planning issues.

In this instance, and on balance, it is considered that positive aspects of the development, which comply with Development Plan policies, outweigh the negative factors and it is recommended that the application be granted permission. The increase in school places along with the highway improvements secured by the development, outweighs potential harm to the openness of the Green Belt by reason of its inappropriateness and other harm, which includes such a reduction in sports pitch provision.

8. Conclusion

- 8.1 The proposed development would respect the character of the area, residential amenity and highway safety. The potential harm to the Green Belt

by the inappropriateness of the proposal is outweighed by the very special circumstances that have been established.

Whilst there is conflict in respect of open space and playing field policy guidance it is considered that the overriding demand for secondary school places outweighs this harm. On balance, therefore, the proposal is in accordance with the National Planning Policy Framework, policies 1,10 and 17 of the Aligned Core Strategy 2014, policies LPD4, LPD7, LPD11, LPD18, LPD19, LPD27, LPD32, LPD48, LPD57 and LPD61 of the Local Planning Document 2018. Accordingly, it is recommended that planning permission be granted.

- 8.2 The Town and Country Planning (Consultation) (England) Direction 2009 requires local planning authorities in England to consult the Secretary of State (through the Planning Casework Unit) before granting permission for certain types of identified development. Approval of this application would require referral as Sport England has been consulted and has made representations objecting on the grounds of a deficiency in the provision of playing fields.

- 9.0 **Recommendation: Grant Planning Permission: Subject to conditions listed and for the reasons set out in the report, and subject to the application not being ‘called-in’ by the Secretary of State, following referral to the National Planning Casework Unit, in accordance with the Town and Country Planning (Consultation) (England) Direction 2009.**

Conditions

1. The development hereby permitted shall commence before the expiration of 3 years from the date of this permission.
2. This permission shall be read in accordance with the application form and following list of approved drawings:
 - CLW/100/01/A Carton le Willows Existing Site Plan
 - CLW/100/02/D Carton le Willows Proposed Site Plan
 - CLW/100/03/B Link Ground Floor Plan & South Elevation
 - CLW/100/04/B Link First Floor Plan & North Elevation
 - CLW/100/05/B Link Roof Plan & East and West Elevations
 - CLW/100/06/G Link Building Site Layout Plan
 - CLW/100/07/B Landscaping External Works Plan
 - CLW/100/08/- Accessible Lift and Catering Pod Existing
 - CLW/100/09/- Accessible Lift and Catering Pod Proposed
 - CLW/100/10/B Proposed and Existing Streetscape
 - CLW/100/11/A Proposed Playing Field Replacement
 - CLW/100/12/- Proposed Refuse Area

H/MW/003 REV B - access arrangements
2020-138-DR01 T3 – Drainage plan
2020-138-DR10 T5 - External levels layout
2020-138-50-T1 – RPA/Drop off zone sections
2020-138-51-T1 – RPA/Drop off zone sections

Design and Access Statement
Carlton le Willows Heritage Impact Statement
Carlton le Willows Sporting Facilities
Arboricultural Method Statement (rev A) and associated drawings

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

3. The development hereby permitted shall not be brought into use until footway and pedestrian/cycle crossing facilities together with bus stop improvements and access arrangements to the school on Burton Road as shown on drawing reference H/MW/003 REV B has been provided.
4. The development hereby permitted shall proceed in accordance with the agreed Travel Plan dated January 2021 and Appendix 1 dated 11th Feb 2021.
5. No development shall commence on any part of the application site, including any on site infrastructure, unless or until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority.
The statement shall provide for the:
 - a) Proposed routing of construction traffic, including proposed site access arrangements and access points for construction traffic
 - b) Parking of vehicles for site operatives and visitors
 - c) Loading and unloading of materials and plant
 - d) Storage of materials and plant and materials for use during construction
 - e) Erection and maintenance of hoarding/ fencing where appropriate
 - f) Wheel washing facilities
 - g) Measures to control the emission of noise, vibration, dust and dirt during construction
 - h) Details of recycling/disposing of waste resulting from the construction works
 - i) Details of method to treat and remove suspended solids from surface water run-off during construction
6. No part of the development hereby permitted shall be brought into use until the parking, turning and servicing and drop off pick up areas are provided in accordance with the approved plans. The parking, turning and servicing areas shall not be used for any purpose other than parking, turning, loading and unloading of vehicles, and shall thereafter be retained for the life of the development.
7. 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.

8. Prior to the first use of the hereby approved building, the 6 electric vehicle charging points as shown on drawing CLW/100/06/G shall be installed, fully operational and be retained as such thereafter.
9. Prior to the commencement of development the fencing around trees to be retained, as shown on drawing G86.20b 01 A, and as detailed in the Arboricultural Method Statement, shall be in situ. The fencing shall remain in situ whilst the building operations are underway.
10. Prior to the commencement of construction of the new building hereby approved details of a local labour agreement in relation to the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority.
The local labour agreement shall be implemented in accordance with the approved details thereafter.
11. Not later than one year from first occupation of the classroom building, the proposed playing field shown on drawing CLW/100/11/A shall be in situ.

Reasons

1. To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990 (as amended).
2. For the avoidance of doubt.
3. In the interests of highway safety and to comply with policy LPD61.
4. To ensure alternative modes of transport to the private motor vehicle are encouraged to comply with guidance contained in the NPPF.
5. To ensure any possible pollution is minimised and in the interest of highway safety and to comply with policies LPD57 and LPD11.
6. In the interests of highway safety and parking provision and to comply with policies LPD57 and LPD61.
7. To ensure that possible contamination is fully explored and to comply with policy LPD7.

8. To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
9. To ensure trees are protected and to comply with policy LPD18.
10. To comply with policy LPD48.
11. To ensure the loss of play pitches is mitigated and to comply with policy LPD20.

Notes to Applicant

One of the conditions requires works to be undertaken in the public highway, which is land subject to the provisions of the Highways Act 1980 (as amended) and over which you have no control. In order for these works to proceed, you are required to enter into an appropriate agreement with Nottinghamshire County Council. Please contact hdc.south@nottscc.gov.uk

The developer is encouraged to consider upgrading the EV charging facilities to incorporate mode 3 charging capability as this will help future proof the development and improve its sustainability. A suitable electrical socket can be provided to allow 'Mode 3' charging of an electric vehicle, allowing Smart 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 applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highway Authority the new roads and any highway drainage will be required to be provided in accordance with the Highway Design Guide Highway design guide | Nottinghamshire County Council in conjunction with Highway Development Control's requirements for Nottinghamshire County Council as highway authority. Please contact Highways Development Control hdc.south@nottscc.gov.uk

No hedge or tree that is to be removed as part of the development hereby permitted shall be lopped, topped, felled or otherwise removed during the bird nesting period (beginning of March to end of August inclusive), unless the works are reviewed by a suitably qualified ecologist.