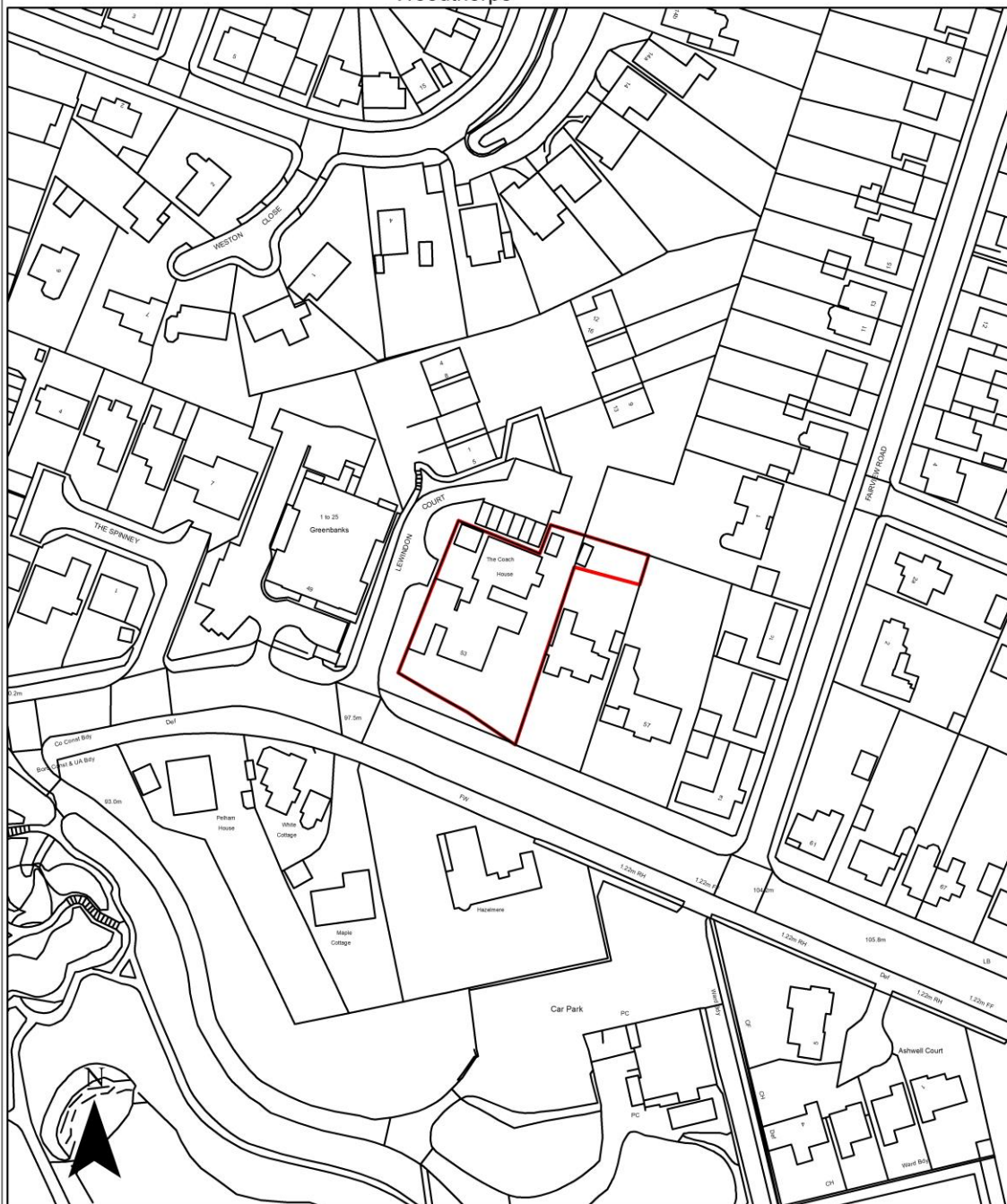




Planning Report for 2020/1312

1:1,250

Planning Reference: 2020/1312
53 Woodthorpe Drive
Woodthorpe



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:	2020/1312
Location:	53 Woodthorpe Drive Woodthorpe NG5 4GY
Proposal:	Construct a new build residential care home for 40 residents with associated gardens and parking.
Applicant:	Clarendon Court (Nottingham) Ltd
Agent:	Rayner Davies Architects
Case Officer:	Bev Pearson

The application is referred to Planning Committee given that planning obligations are required to secure the mitigation of the impacts of the development.

1.0 Site Description

- 1.1 This application relates to the site of an extended former 2/3 storey care home with a number of outbuildings and garden areas and a habitat area which has been vacant for some time. It occupies a large L shaped plot on the north eastern side of Woodthorpe Drive at its junction with Lewindon Court, a cul de sac within Woodthorpe. The site is accessed from Lewindon Court and Woodthorpe Drive
- 1.2 To the north and at a lower level the site is immediately adjoined by a block of garages and parking court serving properties on Lewindon Court again set at a lower level. To the west on the opposite side of Lewin Court is Green Banks a three storey block of flats whilst to the east is a detached dwelling (55 Woodthorpe Drive). Woodthorpe Park lies to the south on the opposite side of Woodthorpe Drive.
- 1.3 The site is well screened from Woodthorpe Drive by a number of mature trees.

2.0 Relevant Planning History

- 2.1 2020/0351 – PRIOR APPROVAL was not required for the demolition of the existing nursing home determined on the 15th May 2020.

3.0 Proposed Development

- 3.1 Full planning permission is sought for the erection of a new build residential care home for up to 40 residents with associated gardens and parking.

The building would be T shaped and have a maximum footprint of 29m width and 26.5m depth. It would be split level taking account of the changes in land levels to the rear.

To the front it would be three storey with 3 no. front gables and would have a maximum ridge height of circa 10.9m and eaves height of circa 8m.

To the rear the main body of the building would be 3/4 storeys. The 4 storey element would be adjacent to the Lewindon Court highway and would have a maximum ridge height of circa 12.5m (eaves height of 10.1m) taking account of the change in land levels. The remainder of the main building would be 3 storey with a maximum eaves height of circa 10.6m and a ridge height of circa 7.5m. The footprint of the building includes a two storey flat roof rear projection which would have maximum dimensions of 10.11m width and 5.2m depth beyond which is a single storey projection with maximum dimensions of 3.9m depth and 10.1m width. This would provide a roof terrace enclosed by a 1.8m high glazed balustrade.

The existing garden area part of which falls adjacent to the rear boundary with no. 55 Woodthorpe Drive would be retained and enhanced.

A bin store is proposed to the front corner of the site adjacent to the boundary with no. 55 Woodthorpe Drive.

The existing access to the site would be widened and 12. no off street parking spaces would be provided to the front.

The care home would employ 20-25 full and part time staff

3.2 The application has been accompanied by the following supporting documents:-

- ☐ Design and access Statement
- ☐ Transport Assessment
- ☐ Tree Survey
- ☐ Revised Tree Protection Plan and Arborecultural Method Statement

4.0 Consultations

4.1 Neighbouring properties were consulted and a press and site notices were placed on 11th January 2021. Following three weeks of consultation 6 representations were received from the same correspondent summarised as follows:-

Amenity

- ☐ The proposal would result in overbearing and overshadowing impact
- ☐ A four storey building would be oppressive
- ☐ There would be adverse impact on light to existing windows
- ☐ There is insufficient separation distance between buildings
- ☐ The door at the bottom of east stairwell/gate to garden area/cycle rack – it is unclear how these would be used and by whom – regular usage would

result in noise disturbance and impact on health – the stairwell block should be relocated

- ☐ The gate is shown to be wooden - this could be changed to a metal gate at any time which would create greater noise nuisance when used
- ☐ Bathrooms on the side elevations are obscure glazed – if these are opening this would result in increased noise issues. If there are extraction units this would also result in noise nuisance
- ☐ The bin store would result in potential odour nuisance and could attract vandalism
- ☐ There would be noise from increased traffic to and from the site
- ☐ There would be noise nuisance and overlooking from residents using the garden areas
- ☐ French doors on the upper ground floor opening onto the garden area from the dining/lounge area would result in odour issues – perhaps these should be closed at meal times.
- ☐ There would be overlooking from the proposed terrace
- ☐ There are no details of ventilation and extraction or noise level information

Design and Scale

- ☐ The care home is too large for the site – it is over development
- ☐ The bin store would be an eyesore – previously bin stores were to the rear of the site

Highway Matters

- ☐ Potential cars parking on the road would result in highway safety issues restricting visibility

Other Matters

- ☐ Given the proximity of the building and ground works there would be impact on foundations of neighbouring buildings – Party Wall Notice would be required
- ☐ The proposal shows disregard for existing covenants which have previously been taken into account

Following clarification from the agent on a number of points raised in the above representations a further re-consultation was carried out with the respondent and the following comments have been received

- ☐ Previous comments are reiterated.
- ☐ There are no details to the frequency or access route to the bin store - this should be confirmed as not being from the door on the eastern elevation as this would impact on amenity
- ☐ There are no details of ventilation/extraction units – clarity is needed
- ☐ There are still no precise details of what is meant by the occasional use of the ground floor door on the eastern elevation. Will it be used to access the garden?

- ☐ The care home garden has previously been privately used exclusively by the owners and separate from the rest of the outdoor space by fencing – the current proposal opens this up to residents, staff and visitors which will impact on amenity
- ☐ Using the 45 degree principle the proposed building would block out light the side windows
- ☐ It is also requested that hard copies of comments are forwarded to planning committee members to allow full consideration and an opportunity to visit the site.

- 4.2 Nottinghamshire County Council Highways Authority – The access to the front boundary of the site will be widened, however the existing dropped kerbs are sufficiently wide to serve the widened access without any widening required on the highway. The car parking requirement is adequate to serve the site and meets the requirements of 1 space per 4 bed spaces. No concerns are raised subject to conditions in relation to the widening of the access and surfacing and delineation of parking spaces. The access is being widened to allow 2 cars to pass at the access point and exiting in a forward gear. There is betterment to what is existing to the access therefore in highway terms it is a vast improvement to the old arrangement. It has been verbally confirmed that the existing access served the previous 28 bed care home which would have required 7 parking spaces. The 40 bed care home would require 10 spaces plus 2 staff spaces. 12 spaces are proposed.
- 4.3 Gedling Borough Council Scientific Officer – no objections subject to conditions requiring the submission of a Construction Emission Management Plan and the provision of electric charging points.
- 4.4 Arboricultural Consultant - The supplied information in this instance is adequate and should be included as a condition of development that all works carried out on site should be carried out directly in accordance with the supplied arboricultural method statement and all protection measures.
- 4.5 Gedling Borough Council Environmental Health - Construction work should not take place until a scheme for protecting nearby residents from noise from mechanical and electrical equipment has been submitted to and approved in writing by the local planning authority. This scheme should also include details of the kitchen ventilation and extraction system to minimise any noise and odours from the operation of the kitchen.
- 4.6 Gedling Parks and Street Care – no comments are raised.
- 4.7 Nottingham and Nottinghamshire Clinical Commissioning Group – request a financial contribution of **£8,670** to be spent at existing local practices at either or all Elmswood Surgery, Plains View Surgery and/or Victoria and Mapperley Surgery.

- 4.8 Nottinghamshire County Council Transport and Travel Services – request a Bus Stop Infrastructure contribution of **£6,000** to provide improvements to the two bus stops on Breck Hill Road denoted as GE0597 and GE0605 which shall include the installation of raised boarding kerbs.
- 4.9 Economic Development – recommend that a condition be added in respect of a Local Labour Agreement

5.0 Assessment of Planning Consideration

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that: ‘if regard is 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 national and local policies are relevant to the application.
- 6.2 The most relevant national planning policy guidance in the determination of this application is contained within the National Planning Policy Framework (NPPF) (2019) is relevant and the National Planning Practice Guidance (NPPG). The NPPF sets out the national objectives for delivering sustainable development. Sections 2 (Achieving Sustainable Development), 5 (Delivering a sufficient supply of homes), 9 (Promoting sustainable transport), 11 (Making effective use of land), 12 (Achieving well-designed places) are particularly relevant in this instance.
- 6.3 Policy A (Presumption in Favour of Sustainable Development) sets out that a positive approach will be taken when considering development proposals.
- Policy 1 – (Climate Change) – sets out sustainability criteria for new dwellings
 - Policy 2 - (The Spatial Strategy) identifies the settlement hierarchy to accommodate growth and the distribution of new homes.
 - Policy 8 – (Housing Size, Mix and Choice) - Part 1 sets out that residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes in order to create sustainable, inclusive and mixed communities.
 - Policy 10 (Design and Enhancing Local Identity) sets out the criteria that development will need to meet with respect to design considerations.
 - Policy 19 (Developer Contributions) sets out the criteria for requiring planning obligations.
- 6.4 The Gedling Borough Local Planning Document (LPD) (July 2018) is part of the development plan for the area. The following policies are relevant in considering this application:

- LPD 32 (Amenity) requires that development proposals do not have a significant adverse impact on the amenity of nearby residents or occupiers, taking into account potential mitigation measures.
- LPD 35 (Safe Accessible and Inclusive Development) sets out a number of design criteria that development should meet, including in relation to the massing, scale and proportion of development.
- LPD 39 – (Specialist Accommodation) sets out the development criteria for specialist accommodation that falls within Use Class C2 (residential institutions)
- LPD 40 (Housing Development on Unallocated Sites) sets out development criteria in terms of design, scale, massing and form, impact on amenity and parking provision.
- LPD 48 (Local Labour Agreements) sets out the threshold where a local labour agreement is required.
- LPD 57 (Parking Standards) sets out the requirements for parking.
- LPD 61 (Highway Safety) sets out that 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

7.0 Planning Considerations

The main issues for consideration in relation to the proposal are the principle of the development, the impact upon the character of the area, amenity and highway matters.

The Principle of development

- 7.1 The sub text of Policy LPD 39 of the LPD relating to specialist accommodation notes that such accommodation should be located in residential areas which are well served by transport and services facilities. It also notes that an over concentration of such accommodation can change the character of the area.
- 7.2 The proposal relates to the site of a former existing care home which was for up to 28 residents sited within Woodthorpe which is close to Mapperley Plains shopping centre with good public transport links and services and facilities. It would create 40 no. bedrooms care home. This is a replacement care facility, albeit larger than the one it replaces and would not be considered to alter the character of the residential area. The principle of the proposal is therefore considered to accord with Policy LPD 39 and is acceptable subject to the following material planning considerations:-

Design and Visual amenity

- 7.3 The design and appearance of the proposed care home with differing roof heights and designs together with the indicative materials noted in the submitted Design and Access Statement are considered acceptable. A

condition requiring the submission of samples of the external materials is considered reasonable should permission be granted.

- 7.4 It is noted that the proposed care home would be larger in terms of scale and footprint than the existing vacant building it replaces. However the site is of a size to comfortably accommodate a building of this scale without the development appearing cramped and over intensive or the site being over developed. The new nursing home would also retain an appropriate amenity garden area to serve the residents
- 7.5 The proposed building would be set back from the highway by circa 17m and would generally respect the front building lines of adjacent properties along Woodthorpe Drive. The height of the ridge of the proposed building would also reflect the rise in land levels along this section of Woodthorpe Drive, the ridge being set circa 0.3m below that of the immediately adjacent property to the east at no 55 Woodthorpe Drive.
- 7.6 It is considered that the separation distance between the building and this neighbouring property, although modest, would be sufficient so that the development would not result in any adverse impact on the character and appearance of the streetscene.
- 7.7 It is noted that the frontage of the site would be predominantly hard surfaced to accommodate off street parking to serve the nursing home and that it is proposed to remove a conifer hedgerow to the front boundary which screens the site. It is considered reasonable to attach a condition requiring the submission and approval of precise landscaping details to ensure that sufficient planting of appropriate species would be secured to mitigate this loss and soften any visual impact.
- 7.8 A bin store is proposed to the front of the building. Precise details of its design can be secured by condition.
- 7.9 Although larger than the building it replaces in terms of footprint, scale and massing the proposed care home is of acceptable design and appearance and is considered to sit well within the context of the site and the wider area.
- 7.10 It is considered that the proposal consists of a high quality design and is fully in compliance with the NPPF, ACS Policy 10 and Policies LPD35 and LPD40.

Impact on Amenity

- 7.11 The comments received with regards to impact on amenity in the consultation section of the report are noted. The proposed building has been designed to take into account the changes of land levels towards the north- western boundaries of the site. The properties to the rear on Lewindon Court are set an angle to and at a lower level than the application site. There is circa 17m separation between the buildings. To the west on the opposite side of the highway (Lewindon Court) there is a separation distance of between 16.5 and 20m between Green Banks flat complex and the application building. To the east the adjacent dwelling no. 55 Woodthorpe Drive is set some 2m from the proposed care home. Being mindful of these separation distances it is not

considered that the proposal would result in undue overlooking, overshadowing or overbearing impact on properties to the north and west.

- 7.12 No. 55 Woodthorpe Drive has ground floor windows to the side elevation facing the application site. Although a 2m separation is modest, these side windows are small secondary stained glass windows to a through lounge room which is also served by windows to the rear and to the front elevations.
- 7.13 Furthermore given the relationship between the proposed building and the neighbouring dwelling at no. 55 Woodthorpe Drive, taking account of the 45 degree principle, whereby a line taken at 45 degrees from the centre of the nearest window of a habitable room in an adjoining property is used as a guideline to determine the impact from a development proposal on sunlight and daylight it is not considered that the proposal would result in overshadowing impact to the windows on the front and rear elevations of this neighbour. The small side windows to this adjoining dwelling are secondary windows and as such would not carry significant weight. As noted above at 7.11 consideration has been given to the fact that these are not the only windows serving these rooms. The main windows providing light are sited to the front and rear elevations.
- 7.14 With regards to potential noise nuisance from the side door/gate facing this property, the agent has confirmed that the gate would be wooden and would provide access to the cycle racks and that the door which leads to a stairwell serves as an emergency access. Any servicing of the kitchens etc would be to and from the access doors to the other side of the building and staff would use the main entrance to access the building. The use of the cycle racks would be intermittent as staff arrive and leave the premises. The agent has confirmed that there is no intention to use this door to access the bin store given the location of the kitchens and service rooms. Notwithstanding this the proposed wooden gate could be replaced by a metal gate without the need for planning permission. However it is considered that the use of the access on the eastern elevation would not generate such a level of activity using the gate for this to significantly impact on amenity.
- 7.15 It is noted that the application does not include details of any means of extraction or ventilation. The main systems would serve the kitchen and plant room which are on the side of the building facing the Lewindon Court highway and are some distance from the nearest residential properties. Such details, together with ventilation details for bathrooms can be secured by condition to prevent undue noise or smells and so safeguard the amenity of the occupiers of nearby properties Bathroom windows to the side elevations would be conditioned to be obscure glazing and non-opening to further safeguard amenity.
- 7.16 With regards to the impact of the use of the garden, the amenity area to the rear of no. 55 Woodthorpe Drive is an existing habitat area with a large pond which would restrict the number of people able to use it. Even if it were to be filled in it is not considered that the level of activity in this area given the nature of the use of the building would result in significant nuisance. It is also not considered that the use of the remaining existing garden area would create such levels of activity and noise to justify refusal on these grounds. The existing

garden areas are also set at a lower level than the adjoining plot and would also be screened existing boundary treatments.

- 7.17 I note the concerns expressed with regards to potential overlooking from the proposed terrace. This would be set in some 14m from the boundary with no. 55 Woodthorpe Drive and would be 21m from the Green Banks flat complex. These separation distances together with the proposed 1.8m high glazed screening would prevent any direct or undue overlooking into neighbouring gardens or windows and would help to mitigate any noise from the dining room/lounge.
- 7.18 In terms of amenity for future occupiers room sizes range between circa 13 and 15sq.m and communal areas provide 5.1 sq.m useable floor space which accord with national space standards for care homes which require 12 sq.m of useable floor space in individual rooms and 4.1 sq. of floor space in communal areas. Accessible outdoor amenity space would also be provided.
- 7.19 It is therefore considered that the proposal would not result in any unacceptable adverse impact on the residential amenities of the occupiers of adjacent properties in accordance with Section 12 of the NPPF (2019), ACS Policy 10 and Policies LPD32 and LPD40.

Highway Implications including parking

- 7.20 The Highway Authority have raised no objections to the proposed widening of the access or the number of parking spaces to be provided which at 10 visitor spaces plus 2 staff spaces have been confirmed as acceptable given the sustainable location of the site in close proximity to public transport routes. Although Woodthorpe Drive is a public highway with no parking restrictions at this point which would allow any vehicle to park on the road, the proposal would be considered to provide adequate off street parking to serve the site without the need for vehicles visiting the care home to park on the street.
- 7.21 Comments received with regards to highway safety concerns are noted. The Highway Authority have raised no highway safety concerns considering that the proposal would allow vehicles to exit the site in a forward gear and the widening of the existing access would allow 2 vehicles to pass at this point which significantly improves the existing access arrangement.
- 7.22 The conditions in relation to the widening of the access, surfacing and delineation of parking spaces recommended by the Highway Authority are considered reasonable.
- 7.23 In addition the Highway Authority has requested improvements to two bus stops at Breck Hill Road via a financial contribution secured by a planning obligation.
- 7.24 The access and parking arrangements have been assessed by the Highway Authority who have raised no objection. As such the proposal is considered to accord with Policies LPD 57 and LPD 61 and Section 9 of the NPPF.

Planning Obligations

- 7.25 **Nottingham and Nottinghamshire Clinical Commissioning Group** - request a financial contribution of £8,670 to enhance existing local practices at one or a combination between the existing practices Elmswood Surgery, Plains View Surgery and Victoria and Mapperley Surgery.
- 7.26 **Nottinghamshire County Council Transport and Travel Services** – request a bus stop Infrastructure contribution of £6,000 to provide improvements to the two bus stops on Breck Hill Road. These improvements are necessary to achieve an acceptable standard to promote sustainable travel and make the development acceptable in planning terms.
- 7.27 ***Local Labour Agreement - LPD Policy 48 requires the Local Planning Authority to seek to negotiate a local labour agreement as the proposal would employ between 20-25 full and part time staff.***
- 7.28 These obligations would need to be secured by way of a Section 106 Agreement which shall be completed prior to determination of the planning application. It is considered that all of the above obligations are necessary to make the development acceptable in planning terms, are directly related to the development and are fairly and reasonably related in scale and kind to the development. As such they meet with the tests set out in Section 122 of The Community Infrastructure Levy Regulations 2010 (as amended).

Other Matters

- 7.29 The application has been accompanied by a tree survey, tree protection plan and an Arborecultural Method Statement which have been reviewed and found acceptable by the Council's Arborecultural consultant. Mature trees to the front corner of the site at the junction of Lewindon Court and Woodthorpe Drive and within the grass verge on Woodthorpe Drive are to be retained and protected. The loss of the conifer trees along the remainder of the front boundary can be mitigated by a condition requiring precise details of landscaping to ensure that appropriate planting is provided.
- 7.30 Representations received with regards to the Party Wall Act 1996, impact on foundations and covenants are noted. These would not be material planning considerations. The Party Wall Act 1996 is a separate piece of legislation to planning legislation, the proposed building would be required to conform to current Building Regulations and any covenants would not be over ridden by any planning permission.
- 7.31 The request to provide hard copies of any representations received in relation to planning proposals to Members of Planning Committee is noted. The provision of copies of representations received to Members is not something that would be undertaken given that all comments are summarised in the Committee report itself. Local residents can request to speak at the meeting to highlight to Members the concerns that have been raised. The respondent has been informed of this.
- 7.32 Concerns have been raised with regards to the proposed bin store in terms of odour and potential vandalism. Conditions requiring the submission and written approval by the LPA of precise details of the bin store and a waste management plan will ensure that the structure is suitably enclosed and is of acceptable

design, scale and materials and that waste and its disposal is managed appropriately.

- 7.33 The comments received from the Scientific Officer are noted and the conditions considered reasonable given the scale of the development.

8.0 Conclusion

- 8.1 The development is visually acceptable, results in no undue impact on the neighbouring properties or the area in general. There are no highway safety or parking issues arising as part of the proposal. Taking the above into account, it is considered that the proposal is appropriate for its context and is in accordance with Sections 2, 5, 9, 11 and 12 of the NPPF, Policies A, 1, 2, 8, 10 and 19 of the ACS and Policies 11, 32, 35, 39, 40, 57 and 61 of the LPD.

- 9.0 Recommendation: That the Borough Council GRANTS FULL PLANNING PERMISSION, subject to the owner entering into a Section 106 agreement to secure planning obligations with the Borough Council as Local Planning Authority and with the County Council as Highway Authority for the financial contributions towards health and bus stop infrastructure and a Local Labour Agreement and subject to the following conditions:**

Conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 The development hereby approved shall be completed in accordance with the submitted documents and plans received on the 24th December 2020: -

Application Form; Design and Access Statement;
Tree Survey produced by John A Booth dated November 2020;
Transport Assessment produced by Bancroft Consulting dated November 2020;

Existing Site Plan Ground Floor drg no. 2774(02)001;
Proposed Block Plan Roof Plan drg no. 2774(08)001;
Proposed Site Plan Ground Floor drg no. 2774(08)002;
Tree Protection Plan drg no. 2774(08)003;
Proposed First Floor Layout drg no. 2774(028)101;
Proposed Second Floor Layout drg no. 2774(028)201;
Proposed Layout Lower Ground Floor drg no. 2774(028)B01;
Proposed Layout Upper Ground Floor drg no. 2774(08)G01 Rev A;
Proposed Elevations 1 of 2 drg. no. 2774(08)E01 Rev A;
Proposed Elevations 2 of 2 drg. no. 2774(08)E02 Rev A;
Proposed Sections 1 of 2 drg. no. 2774(08)S01 Rev A;
Proposed Sections 2 of 2 drg. no. 2774(08)S02 Rev A;
Proposed Street Sections drg. no. 2774(08)S03; and

the following plans deposited on the 12th February 2021:-

Revised Proposed Site Plan drg. no. 2774(08)002 Rev A;
Revised Tree Protection Plan and AMS drg. no. 2774(08)003 A.

The development hereby permitted shall be undertaken in accordance with the submitted documents.

- 3 Prior to above ground works commencing, samples of the materials to be used in the external elevation treatment of the building shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be used in the construction of the building hereby approved.
- 4 Prior to above ground works commencing details of the soft and hard landscape works shall be submitted to and approved in writing by the Local Planning Authority. The detailed landscape plans and particulars shall include details of size, species, positions and densities of all trees, hedges and shrubs to be retained and to be planted together with a programme of implementation. The development shall be implemented in accordance with the approved details.
- 5 If within a period of five years beginning with the date of the planting of any tree or shrub, approved in relation to condition 4 of this permission, that tree or shrub, or any tree or shrub that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Local Planning Authority seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.
- 6 Trees to be retained on site shall be protected in complete accordance with details contained within the Revised Tree Protection Plan and AMS drg. no. 2774(08)003 deposited on the 12th February 2021.
- 7 Prior to the occupation of the building hereby permitted there shall submitted to and approved in writing by the Local Planning Authority details of a waste management plan. The development shall be carried out in accordance with the approved details.
- 8 Prior to the occupation of the building hereby permitted precise details of the bin store shall be submitted to and approved in writing by the Local Planning Authority. The bin store shall be implemented and made available for use in accordance with the approved details prior to first occupation of the building and shall be retained and maintained for the lifetime of the development.
- 9 Prior to above ground works commencing precise details of all means of ventilation and extraction shall be submitted to and approved in writing by the Local Planning Authority. All equipment installed as part of the approved scheme shall thereafter be operated and maintained in accordance with the approved details and shall be retained for the lifetime of the development.
- 10 No part of the development hereby permitted shall be brought into use until the access to the site has been widened, completed and surfaced in a bound material in accordance with approved plan entitled 'Proposed Site Plan ground floor', plan number 2774 (08) 002 Rev A.

- 11 No part of the development hereby permitted shall be brought into use until the parking, turning and servicing areas are surfaced in a bound material with the parking bays clearly delineated in accordance with plans entitled 'Proposed Site Plan ground floor', plan number 2774 (08) 002 Rev A. The parking, turning and servicing areas shall be maintained for the life of the development and shall not be used for any purpose other than parking, turning, loading and unloading of vehicles.
- 12 Prior to the occupation of building(s) hereby permitted, details shall be submitted to and approved in writing by the Local Planning Authority as to the position within the development of one (1) Electric Vehicle Recharging Point. The Electric Vehicle Recharging Point shall be in a prominent position on the site and shall be for the exclusive use of zero emission vehicles. The Electric Vehicle Recharging Point shall be installed prior to occupation of any part of the development and shall be thereafter maintained in the location as approved for the lifetime of the development. All EV charging points shall meet relevant safety and accessibility requirements and be clearly marked with their purpose; which should be drawn to the attention of staff and visitors.
- 13 The development hereby permitted shall not be occupied until the bathroom/ensuite windows to the side elevations of the building have been fitted with obscured glazing to a minimum of Pilkington Level 4 and non-opening and shall be retained as such thereafter.
- 14 The proposed 1.8m high screening to the terrace as shown on the Proposed First Floor Layout drg no. 2774(028)101 shall be obscure glazed to a Pilkington Level 4 and shall be installed prior to the terrace being brought into use. It shall thereafter be retained for the lifetime of the development.
- 15 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.

Reasons

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt.
- 3 To ensure a satisfactory form of development and the interest of visual amenity.
- 4 To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

- 5 To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.
- 6 To ensure that retained trees are protected.
- 7 To ensure a satisfactory development.
- 8 To ensure a satisfactory form of development and the interest of visual amenity.
- 9 To safeguard the amenity of the occupiers of neighbouring property.
- 10 To enable vehicles to enter and leave the public highway in a slow and controlled manner and in the interests of general Highway safety.
- 11 To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.
- 12 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.
- 13 To safeguard the amenity of the occupiers of neighbouring property.
- 14 To safeguard the amenity of the occupiers of neighbouring property.
- 15 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.

Reasons for Decision

The principle of the development accords with the objectives of national and local planning policies. It is considered that the proposal would not result in undue harm to visual and residential amenity, or highway safety. It is therefore considered that the granting of planning permission would fully accord with the objectives of the relevant planning policies set out in the National Planning Policy Framework, Aligned Core Strategy, Local Planning Document and Supplementary Planning Documents.

Notes to Applicant

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.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered

during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018).