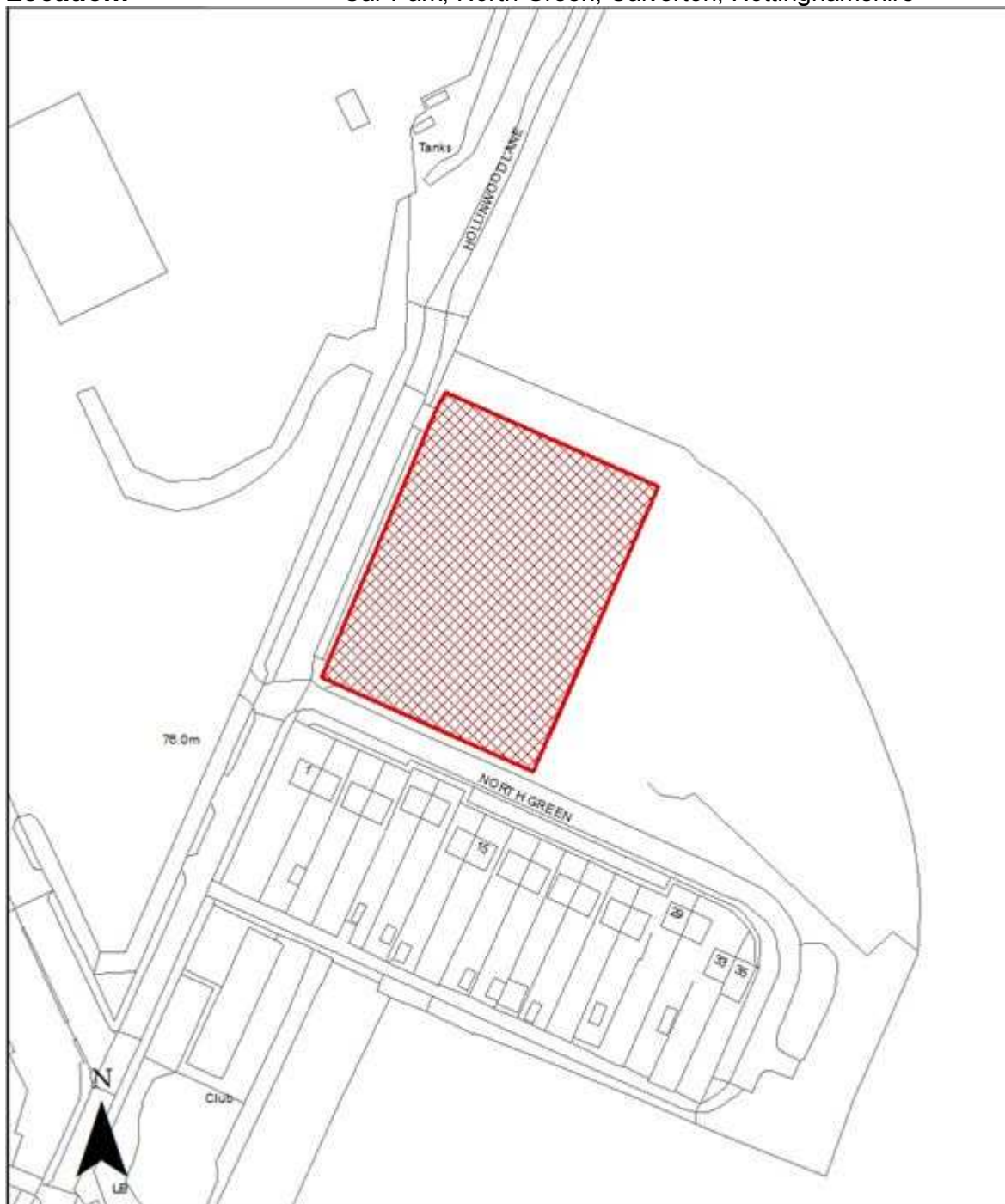




**Application Number:** 2013/1495

**Location:** Car Park, North Green, Calverton, Nottinghamshire



**NOTE:**

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## **Report to Planning Committee**

|                            |  |
|----------------------------|--|
| <b>Application Number:</b> | 2013/1495  |
| <b>Location:</b>           | Car Park, North Green, Calverton, Nottinghamshire.                                       |
| <b>Proposal:</b>           | Up to 21 Single storey bungalows suitable for the elderly (Outline Planning Permission). |
| <b>Applicant:</b>          | Mr R Tuxford   |
| <b>Agent:</b>              | Miss Paula Money   |

### **Site Description**

The application site relates to an area of hardstanding formerly in use as a car park associated with the former Colliery on the corner of Hollinwood Lane and North Green within the Nottinghamshire Green Belt. The application site is a rectangular plot with the width fronting North Green of 65 metres and a depth of the site 85 metres. The site area therefore equates to approximately 0.48 Ha. North Green is to the south of the application site with residential properties sited on the opposite side of the highway. Hollinwood Lane is an adopted highway which then becomes a byway adjacent to the west side boundary of the application site. To the west of the Byway is the boundary to the Calverton Colliery Redevelopment Site (as identified on the Proposals Map of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2008)), developed for employment uses and a household waste recycling centre. The west boundary is defined by a wide border consisting of metal railed fencing and vegetation with panelled fencing behind. Agricultural land lies to the north and east of the site. The north, east and south boundaries of the application site are defined by a mixture of trees and mature vegetation.

### **Relevant Planning History**

Planning history shows that the site has had a number of temporary planning permissions to use the car park for portable site offices and storage facilities since 2006 (ref: 2006/0978, 2007/0386, 2008/0335, 2009/0292, and 2010/0242).

### **Proposed Development**

Outline planning permission is sought for the development of up to 21 single-storey bungalows with all matters reserved. The bungalows would be designed to be suitable for the elderly. Indicative details on the layout and access have been submitted with the application.

Further details have been submitted by the agent setting the maximum parameters

for the residential units as:

- 6 metres height,
- 10 metres width,
- 10 metres depth.

The following additional information has been submitted in support of the application;

- Design and Access Statement;
- Arboricultural Implications Assessment and Method Statement;
- Phase 1 Geo-Environmental Assessment Report;
- Drainage Feasibility Report;
- Landscape Appraisal;
- Planning Statement including a draft Section 106 Agreement and supporting statements and planning considerations;
- Sustainability Statement.

The very special circumstances put forward by the agent are as follows: -

- Assisting the Council in meeting the 5 year housing land supply;
- Addressing the need for elderly persons' accommodation;
- Addressing the need for affordable housing suitable for the elderly;
- Reusing derelict land; and
- Landscape and visual improvements through the development of the site.

### **Consultations**

Calverton Parish Council – Object to the application on the grounds that the site is within the Green Belt and Gedling Borough Council have an adequate 5 year supply of housing land.

Neighbouring Properties were notified and a Site Notice posted and 2 letters of representation have been received as a result. The comments can be outlined as follows: -

- The application site is in the Green Belt which is not meant for development unless there are exceptional circumstances. The application does not offer exceptional circumstances.
- The development of land in Calverton is under review and the result of the review has not been finalised.
- The application site would not be suitable for the elderly given the distances to local amenities.
- The development would be insular and not beneficial to the mental health of elderly residents.

### **Planning Policy** –

This is a proposal for 21 single storey bungalows for the elderly on Green Belt land located at North Green, Calverton which is identified as a key settlement for growth in the emerging Aligned Core Strategy. The site is currently in use as a car park and planning history shows that since 2006 the site had temporary planning permissions to use the existing car park for portable site offices and storage facilities (2006/0978,

2007/0386, 2008/0335, 2009/0292 and 2010/0242).

The site is located within the Nottinghamshire Green Belt and falls within the Aquifer Protection zone as identified on the Proposals Map of the Gedling Borough Replacement Local Plan (2005). The site also falls within the Policy Zone S PZ 17 Calverton North Village Farmlands as identified in the Greater Nottingham Landscape Character Assessment (2009).

#### List of Policies and background information

National Planning Policy Framework (2012):-

- 6. Delivering a wide choice of high quality homes (paragraphs 47-55)
- 7. Requiring good design (paragraphs 56-68)
- 8. Promoting healthy communities (paragraphs 69-78)
- 9. Protecting Green Belt land (paragraphs 79-92)
- 11. Conserving and enhancing the natural environment (paragraphs 109-125)

Gedling Borough Replacement Local Plan (2005) (Saved Policies 2008):-

- Policy ENV1: Development Criteria
- Policy ENV3: Development on Contaminated Land
- Policy ENV26: Control Over Development in the Green Belt
- Policy ENV42: Aquifer Protection
- Policy H13: Residential Homes
- Policy T10: Highway Design and Parking Guidelines

On 13 February 2013, Gedling Borough Council approved the Gedling Borough Aligned Core Strategy Submission Documents which it considers to be sound and ready for independent examination. Consequently, Gedling Borough in determining planning applications may attach greater weight to the policies contained in the Aligned Core Strategy Submission Documents than to previous stages, as it is at an advanced stage of preparation. The level of weight given to each policy will be dependent upon the extent to which there are unresolved objections (the less significant the unresolved objections, the greater weight that may be given). It is considered that the following policies are relevant:-

- Policy 2 The Spatial Strategy
- Policy 3: The Green Belt
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity

Objections to Policy 2 relate to the overall housing target and to the principle and level of development proposed at Calverton. These objections are considered significant and, therefore, Policy 2 should be given limited weight. In terms of Policy 8, objections to the affordable housing references in the policy were made regarding viability. While these are considered significant the Affordable Housing SPD is based on a viability assessment and the requirement can be considered on a site by site basis if there is site specific information provided.

The site is identified in Gedling Borough's 2013 SHLAA and assessed as may be suitable subject to policy change.

### Key Issues

The main planning policy considerations in the determination of this application are whether the proposal is premature to the emerging Aligned Core Strategy, whether the proposal is appropriate development in Green Belt and if not whether there are any very special circumstances which would outweigh the harm to the Green Belt.

### Prematurity

The National Planning Practice Guidance identifies that the circumstances when planning applications may be refused due to prematurity will be limited. The guidance identifies that prematurity may be an issue when:

- the application is so substantial or its cumulative impact would be so significant that it would predetermine decisions about the scale, location or phasing of new development; and
- the Local Plan is at an advance stage but has not yet been adopted.

While the Aligned Core Strategy has been submitted for independent examination, this site is of a size which is not addressed by the Aligned Core Strategy. The allocation of sites of this size will come through the Local Planning Document. The Local Planning Document is under preparation and an Issues and Options document prepared which indicates the site may be suitable as a potential housing site. This Local Planning Document Issues and Options document was subject to consultation in October 2012 but as this Local Planning Document is at an early stage of preparation no weight can be attached to it. Planning Policy therefore consider that as both criterion (set out in the above paragraph) have not been met it is considered that refusal on the grounds of prematurity is not possible in this case.

### Five Year Land Supply

The Five Year Housing Land Supply Assessment (March 2012) identifies that there is only a 3.23 year supply of deliverable housing sites within the Borough.

Paragraph 49 of the NPPF sets out that where local planning authorities cannot demonstrate a five-year supply of deliverable housing sites relevant policies for the supply of housing should be considered out-of-date. Recent appeals (notably the Binfield decision ref 2179560) have indicated that this would include policies which restrict or direct residential development.

### Green Belt

The site is located within the Nottinghamshire Green Belt. Policy 3 of the Aligned Core Strategy states that the principle of the Nottingham Derby Green Belt will be retained. Policy ENV26 of the Replacement Local Plan and paragraph 87 of the National Planning Policy Framework states that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 89 of the National Planning Policy Framework states that construction of new buildings is inappropriate in Green Belt, one of the exceptions to this are:-

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

While the proposal is to redevelop on a previously developed site (car park of Calverton Colliery), the applicant would need to justify the redevelopment of a previously developed site which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing use. Planning history shows that since 2006 the site had temporary planning permissions to use the existing car park for portable site offices and storage facilities. The planning report for the previous permission (2010/0242) states "Having regard to the above policy the proposal is contrary to its aims and should be refused planning permission. However I note that several temporary grants of planning permission have been granted on the site. These have been granted with consideration given to the temporary nature of the proposal".

Planning Policy consider that this proposal would have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing use. The applicant would therefore need to demonstrate that there are very special circumstances which outweigh the harm to the Green Belt in accordance with ENV26 of the Replacement Local Plan and paragraphs 87-89 of the NPPF. The Thundersley decision (ref 2177157) and the recent Ministerial Statement (1<sup>st</sup> July 2013) highlight that the demand for housing would on its own not be sufficient to outweigh harm to the Green Belt. The Government's clear position is that Green Belt release should be through Local Plans unless there are additional very special circumstances.

The applicant has identified the contribution to the five year land supply and the need for 'retirement' properties in Calverton as very special circumstances.

Overall, the harm to the Green Belt in terms of the five purposes of Green Belt should be identified and whether the identified 'very special circumstances' outweigh this harm and any other harm should be considered. It is noted, however, that in the Thundersley case a 0.7 year supply of houses was not considered sufficient to outweigh the harm to the Green Belt that was considered to be a "*relatively small, isolated pocket of undeveloped land, surrounded by urban structures and uses*" (SoS Letter paragraph 11).

Policy 8 of the Aligned Core Strategy refers to housing size, mix and choice. Consideration should be given to the needs and demands of the elderly as part of overall housing mix, in particular in areas where there is a significant degree of under occupation and an ageing population. According to the Relationship between Household Size and Dwelling Size in Future Housing Provision (2010) document, the areas of under-occupancy tend to be located outside of Nottingham and are

characterised by average or above average house size, higher levels of affluence and older households (55+). The document identifies three main areas within the Borough where there is significant under-occupation and they are Ravenshead/Newstead/Linby/Papplewick area, Woodborough and Burton Joyce/Stoke Bardolph area. These areas are also characterised by older households (55+).

It is noted that Calverton has been identified as a Key Settlement for Growth in the ACS. The proposed main modifications to the ACS identify a housing figure of up to 1,055 dwellings for Calverton for the period 2011 to 2028. This figure will include a number of dwellings that have been completed or currently have extant planning permission. It has been expected that some Green Belt release would be required at Calverton. The weight to be given to the designation of Calverton as a key settlement for growth as very special circumstance should be considered.

Decisions about which sites to allocate will be made in the Local Planning Document (also known as the Part 2 Local Plan). As part of preparing the Local Planning Document, the Borough Council has commissioned consultants to produce a Masterplan to show how the housing target for Calverton could be best delivered. In preparing the Masterplan there has been public engagement with the local community. The final Masterplan, which has recently been made public, recommends that this site be included in the area allocated for development in the emerging Local Planning Document.

The weight to be given to this Masterplan should be considered, although it is noted that the Borough Council has not yet considered whether it agrees with the recommendations and it is not been subjected to formal public consultation or independent examination.

In conclusion, the harm to the Green Belt in terms of the five purposes of Green Belt should be identified and whether the identified 'very special circumstances' outweigh this harm and any other harm should be considered. The applicant has identified the lack of a five year land supply and the need for 'retirement' properties as very special circumstances.

#### Nottinghamshire County Council (Highway Authority) –

The Highway Authority has noted that this is an outline planning application with all matters reserved for future consideration. It has also been noted that the purpose of the current application is to establish whether in principle of redeveloping of this site for bungalows suitable for occupation by the elderly is acceptable to the Local Planning Authority.

From a highway point of view the Highway Authority has no objections in principle to the proposed development being considered at the above location as there will be no adverse impact of the development on the County's roads but there are numerous highway issues that require clarifications and addressing before the Highway Authority could support the current proposals.

There appears to be discrepancy between the red line boundary of the site and the

extent of public highways of Hollinwood Lane and North Green. As a result there will be a narrow strip of land along North Green with unknown ownership between the proposed site and the edge of public highway of North Green. We would recommend that this issue should be resolved at an early stage to avoid confusions at later date in relation to the future maintenance of this strip of land in question including the section of new road within the proposed site access road which may be considered as public highway if designed and constructed to an adoptable standard in accordance the Nottinghamshire County Council's Highway Design Guide called 6Cs Design Guide.

For information, the 6Cs Design Guide can be viewed via the link below: <http://www.leics.gov.uk/6csdg.htm> .

It should be noted that the proposed car parking spaces marked as P1 on the sketch layout plan reference CA-01 attached with this application will be constructed over the existing public highway of North Green. Please see area highlighted in yellow on attached plan. Nothing shall be constructed over the existing public highway unless the section of highway in question is legally stopped up. For information, the developer will have to approach the Department of Transport for stopping up of public highway which is a lengthy process.

Minimum effective width for a private driveway serving 2 to 5 dwelling shall be 4.25m for a minimum distance of 5m behind the highway boundary. Please refer to a private driveway leading to units marked as 18 – 21 inclusive. It appears to be 3.5m wide only as shown on the sketch layout plan.

Due to the proposed tree fronting plot no. 18 on new shared surface road and the presence of existing trees along the site frontage onto North Green the visibility for vehicles exiting from plots 19-21 will be restricted. This is not acceptable as it will be detrimental to road safety.

There is no footway on the northern side of the highway of North Green along the proposed frontage of the site and the verge is consists of lot of trees. It has been noted that the applicant is proposing to retain these trees. The Highway Authority is concerned that due to the presence of trees and other overgrown vegetation will mask the visibility for vehicles exiting the proposed site access road. For information, 2.4m x 43m visibility splays will be required along North Green on both sides of the proposed site access.

It has been noted from the Design and Access Statement that the proposed shared surface road will be 7.0m wide. This is not acceptable. The proposed road shall be constructed in accordance with the 6Cs Design Guide so that it could be considered as public highway. For information, overall corridor width of the proposed access road for this type and size of the development should be 8.8m consisting 4.8m wide carriageway and 2.0m wide footway/service strips on both sides of the carriageway.

The corridor width of 8.8m is the minimum space required to accommodate all likely road users and utility equipment (for example, gas, water, cable TV).

Normally the Highway Authority would not accept any parallel parking to the



proposed public highway as door opening of a parked vehicle onto footway/pedestrian area would be detrimental to road safety. However, having considered that the proposed access road being a shared surface the Highway Authority may be in position consider these subject to the proposed parking spaces would be widened to prevent any door opening over the proposed public highway. Please refer to parking spaces marked as P4 and P16 as shown on the sketch layout plan reference CA-01.

New footway fronting the proposed development along North Green and its link to the existing footways on Hollinwood Lane will be required. In order assist pedestrian in crossing the Highway Authority would also seek improvements at North Green/Hollinwood Lane/Hollinwood Lane (Byway) junction. This should also include suitable crossing facility for pedestrian such as dropped kerb crossing with tactile paving where appropriate.

It is clear that further design works and clarifications are required before further comments on this application. The Highway Authority would recommend that no decision is made until such time all of the highway issues have been resolved.

Notwithstanding the above, if the applicant is willing to amend the proposals to reflect the above the Highway Authority may be in position to review its recommendations.

Environment Agency – No representations have been received.

Housing Strategy –

There is a clear need for accessible bungalows in Gedling. As far back as 2007, the council's Strategic Housing Market Assessment recommended:

'Bungalows are well known to be the traditional housing aspiration of older households, and could tempt more under-occupying households out of there large accommodation, which would improve stock utilisation more than higher density new building. These would need to be done well, in the right locations for services, transport and environment, and of sufficient size – two bedrooms is the expected norm for older households in typical 'downsizing' position nowadays – and there must be enough space and storage to accommodate the acquired effects of many years spent in a larger house. Innovative design and provision of shared, secure storage space and occasional 'spare rooms' for visitors could be a way of tackling issues of space and density. Two bedroom bungalows are also more flexible for alternative use – small families can live in them, and extend them if required.'

The 2011 Census showed that 25% of Calverton's population was aged 60 or over (compared to 22% for England), with the median age being 43 (compared to 39 for England)

A study into housing needs of disabled people carried out in 2011-12 concluded that, based on a 'low estimate' of need:

- By 2015, there will be 286 disabled people in Gedling whose needs will not be met by their current accommodation.

- Bungalows were overwhelmingly the most popular choice of property type, preferred by 75% of respondents.
- There is therefore a need for 214 bungalows across the borough
- 113 of these will need to be wheelchair accessible (e.g. lowered kitchen worktops etc)

(N.B. these figures are based on application of national prevalence rates to Gedling, supplemented by a local survey to explore the qualitative issues in this area.)

No figures for the number of bungalows at small area geographic levels have been found. The English Housing Survey 2012-13 found that around 9% of dwellings nationwide were bungalows. The aging population, survey data showing strong preferences for bungalows, and price premiums commanded by the limited number of bungalows that are offered for sale in Gedling, all suggest that increasing this population would be beneficial to meet future housing needs.

Although a location on the edge of the village may not be considered ideal for accommodation for older or disabled people, I note that there is a bus stop on Collyer Road around 200 yards from the site. This is served by the Calverton Connection (every 15mins Monday – Saturday, hourly Sundays), which gives access to the facilities in the centre of Calverton, as well as Arnold and Nottingham. It appears that the Co-operative and Londis stores on Flatts Lane are approximately 1250 yards away, while the walking distance to the doctors surgery is just over a mile. Both these locations are served by bus. Although perhaps not ideal, I think the site needs to be judged in the context of any alternative available sites in Calverton that could provide this accommodation - for which Housing Strategy are not aware of at present.

In the event that permission was granted for this scheme, a s.106 agreement would be required to secure 20% of the properties as affordable housing, in accordance with the Affordable Housing SPD. We would also recommend that the properties should be built to the Lifetime Homes principles.

#### Public Protection (Scientific Officer) –

The application included a 'Phase 1 report (OPUS ref. K-NC597\_R1.1\_LMH); having reviewed the report I note their recommendations for a further assessment (Section 11). As such I would recommend that planning conditions are placed to ensure these assessments take place; and cover any remedial works, should they be required.

#### Nottinghamshire County Council (Policy) – Conclusions:

It is a matter for the Borough Council to decide whether the applicant has demonstrated that there are very special circumstances which justify the proposed development in the Green Belt. Given the relatively small scale of the proposal and the identification of Calverton as a Key Settlement for growth in the Aligned Core Strategies, the County Council would not wish to raise any strategic planning objections to the proposal on Green Belt grounds.

There are no strategic planning policy or highways objections to the proposal in principle, however a number of detailed highway issues need to be resolved.

There are no objections to the impact of the proposed development on landscape and visual impact but it is requested that further information is provided and advice adhered to.

There are no objections in respect of nature conservation provided that a protected species survey is carried out prior to determination of the application and any planning permission granted is subject to a condition requiring the submission and approval of detailed landscaping scheme.

Developer contributions would be sought for education provision.

Nottinghamshire County Council (Education) – It is confirmed that the primary schools are at capacity and unable to accommodate the additional 4 primary places. The secondary places however, can be accommodated in existing schools.

Nottinghamshire County Council would wish to seek education to provide additional primary provision to serve the proposed development.

Urban Design Consultant – With regard to the indicative layout to the major scheme; issues are raised with regards to the layout at this stage or has the development considered building for life 12 submissions with the application.

Nottinghamshire County Council (Forestry Manager) – The supplied detail in document 44a-13-14 is factually correct.

It is suggested that the supplied document is used as a non-standard condition of any consent granted to ensure satisfactory and safe tree retention and control over the extent of tree felling operations.

### **Planning Considerations**

In my opinion the main planning considerations in the determination of this application are: -

1. The Impact on the Green Belt
  - i. Whether or not the proposal would constitute inappropriate development in the Green Belt;
  - ii. The effect of the proposal on the openness of the Green Belt and the aims of Green Belt policy;
  - iii. If the proposal is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to very special circumstances necessary to justify the development;
2. Other Considerations / Very Special Circumstances;
3. The principle of the layout, design and appearance;
4. The impact on neighbouring amenity;

5. Highway implications; and
6. Planning obligations.

At the national level the most relevant parts of the National Planning Policy Framework (NPPF) in relation to the determination of this application are: -

- Delivering a wide choice of high quality homes (paragraphs 47 – 55);
- Requiring good design (paragraphs 56 – 68); and
- Protecting Green Belt land (paragraphs 79 – 80 and 87 – 89)

At the local level the following policies contained within the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2008) are also relevant to the determination of the application: -

- ENV1 (Development Criteria);
- ENV3 (Development on Contaminated Land);
- ENV26 (Control Over Development in the Green Belt);
- ENV42 (Aquifer Protection);
- H13 (Residential Homes);
- T10 (Highway Design and Parking Guidelines)

In addition appropriate car parking provision should be provided in accordance with the residential car parking standards set out in the Borough Council's Supplementary Planning Document (SPD) 'Parking Provision for Residential Developments' (2012)

On the 13<sup>th</sup> February 2013, Gedling Borough Council approved the Gedling Borough Aligned Core Strategy Submission Documents which it considers to be sound and ready for independent examination. Consequently, Gedling Borough in determining planning applications may attach greater weight to the policies contained in the Aligned Core Strategy Documents than to previous stages, as it is at an advanced stage of preparation. The level of weight given to each policy will be dependent upon the extent to which there are unresolved objections (the less significant the unresolved objections, the greater weight that may be given). It is considered that the following policies are relevant: -

- Policy 2: The Spatial Strategy
- Policy 3: The Green Belt
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity.

### Impact on the Green Belt

Paragraphs 79 and 80 of the NPPF outline the importance that the Government attaches to the Green Belt and the aim of Green Belt Policy to prevent urban sprawl and to retain the essential openness and permanence of the Green Belt.

Paragraphs 87 of the NPPF state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved unless very special

circumstances are demonstrated which outweigh such harm. Paragraph 89 notes that the construction of new buildings within the Green Belt is inappropriate development and outlines the categories which may be considered as being exceptions to this.

Policy ENV26 of the RLP reflects this guidance, identifying that the construction of new buildings within the Green Belt is considered inappropriate unless it is for the purposes of agriculture or forestry or provides small scale essential facilities for outdoor sport and recreation.

I am mindful of recent case law and also note the Ministerial Statement issued on the 1<sup>st</sup> July 2013 which highlight that the demand for housing would not on its own be sufficient to outweigh the harm to the Green Belt.

I am mindful that the proposal does not meet any of the exceptions listed under paragraph 89 or fall within any of the categories of development considered appropriate development under Policy ENV26. I am therefore of the view that the proposal would be inappropriate and therefore by definition harmful to the Green Belt setting of the site, and in accordance with the NPPF and ENV28 I would attach substantial weight to this harm when considering this application.

The applicant has put forward the following arguments as very special circumstances in order to justify the development:

- Assisting the Council in meeting the 5 year housing land supply;
- Addressing the need for elderly persons' accommodation;
- Addressing the need for affordable housing suitable for the elderly;
- Reusing derelict land; and
- Landscape and visual improvements through the development of the site.

#### The effect on the openness and the aim of Green Belt Policy

The site comprises of redundant vehicle hardstanding and is bounded by mature vegetation together with trees, hedgerows and open Green Belt land to the north and east. Whilst the existing landscaping around the boundaries of the site provides some screening, it is noted that that the site is not entirely enclosed, and in particularly to the northeast there are views from the site to the open Green Belt land beyond. The site at the northeast corner is also in an elevated position to the adjoining agricultural land. Whilst the land was a previously developed car park serving the redundant colliery I still consider the site itself to be predominantly open and undeveloped of built form.

I note that the applicant submitted a Landscape Appraisal concluding that the current landscape condition is 'Very Poor' as set out in the Greater Nottinghamshire Landscape Character Assessment (GNLCA) June 2009. It is also noted that the GNLCA sets out that the 'Landscape Sensitivity' is Very Low on the basis that views out of the area are blocked by the colliery spoil heap and the built edge of Calverton along with the moderate sense of place and low visibility leads of low landscape sensitivity.

However, the proposal is for up to 21 retirement bungalows. Given the location of the site adjacent to a small ribbon of residential development outside of the village envelope of Calverton and the protected employment site to the west with Calverton Colliery spoil heap behind public views to the scheme would be limited. Additional landscaping/woodland screening, as suggested by the agent, would also assist in limiting views of the proposed development from the surrounding area. However, it is my view the erection of 21 bungalows on a site that is essentially undeveloped would undoubtedly have a marked effect on the openness of the site and the surrounding area, and would extend the built form outside of the village setting.

The NPPF advises at paragraph 79 that openness is an essential characteristic of Green Belts and the prevention of urban sprawl by keeping land permanently open is the fundamental aim of the designation. In this regard, policy ENV26 of the Local Plan is largely consistent with the Framework.

It is my opinion that for the above reasons, the proposal would be harmful to the Green Belt by reason of its effect on openness, and would be contrary to the aims of the designation. This harm would therefore add significantly to that arising from the inappropriate nature of the development.

#### Other Considerations (Very Special Circumstances)

It is my opinion that the proposal would have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing use. It is therefore for the agent to demonstrate that there are very special circumstances which outweigh the harm to the Green Belt in accordance with ENV26 of the Replacement Local Plan and paragraphs 87 – 89 of the NPPF. The Thundersley decision (ref: 2177157) and the recent Ministerial Statement (1<sup>st</sup> July 2013) highlight that the demand for housing would on its own not be sufficient to outweigh harm to the Green Belt. The Government's clear position is that Green Belt release should be through Local Plans unless there are additional very special circumstances.

The agent has put forward special circumstances that relate to the benefits of the proposal in terms of the contribution the proposal would make to the Borough Council's 5 Year Housing Land Supply, including the need for 'retirement' properties that meet the needs and requirements of people in Calverton, reusing derelict land and the landscape and visual improvements through the redevelopment of the site.

I am mindful of the Ministerial Statement of the 1<sup>st</sup> July 2013 in relation to the protection of the Green Belt, which highlighted that unmet demand for housing would not on its own be sufficient to outweigh the harm to the Green Belt, I do not consider that this in itself would amount to the very special circumstances to justify the granting of planning permission.

I note the comments from Housing Strategy and accept the Strategic Housing Market Assessment identified the need for accessible bungalows in Gedling. I do however consider the contribution the scheme would make towards meeting housing needs, and, in the absence of a five year housing land supply, the contribution it would make more generally to the housing needs of the Borough, are significant factors in favour of the proposal. I accept that there appears to be a need for

retirement housing in Calverton, however, the agent has not submitted information regarding the availability of alternative available sites within Calverton to illustrate that this accommodation cannot be provided for in existing locations or better alternative sites.

Policy 8 of the Aligned Core Strategy refers to housing size, mix and choice. Consideration should be given to the needs and demands of the elderly as part of overall housing mix, in particular in areas where there is significant degree of under occupation and an ageing population.

I note the comments from Planning Policy with regards to Calverton being identified as a Key Settlement for Growth in the ACS. I also concur that weight should be given to this Masterplan and that it should be considered although it is noted that the Borough Council has not yet considered whether it agrees with the recommendations and it is not been subjected to formal public consultation or independent examination.

Given the relatively small scale of the development which offers a limited mixture of housing in an isolated location away from the defined village envelope I would not give the Calverton area being a Key Settlement for Growth significant weight in determining this application as Green Belt release would come through the Local Planning Document.

I note the comments from the agent with regards to the economic benefits that would be afforded by the local community during the construction phase; however, I would not give this significant enough weight that would account for very special circumstances in this instance.

Taking the above considerations into account, I am of the view that harm by reason of the inappropriateness of the development is not clearly outweighed by other considerations and that very special circumstances do not exist in this instance to justify the grant of planning permission.

I am therefore of the view that the proposal fails to accord with criterion contained within the NPPF, Policy ENV28 of the RLP and Policy 9 of the ACS.

#### Suitability of the location

To assess whether the proposal is appropriate in this location, consideration needs to be given to paragraphs 49 and 55 of the NPPF. Paragraph 49 outlines that housing applications should be considered in the context of the presumption in favour of sustainable development.

Paragraph 55 encourages sustainable development within rural areas. New isolated homes should be avoided unless there are special circumstances.

Notwithstanding the impact of the proposed development upon the character of the Green Belt, I am mindful that the site is separated from the village infill boundary by some 165 metres, from the bus stop to Calverton / Arnold / Nottingham by some 0.5 kilometres and from the village amenities by some 1.9 kilometres. Given the location

of the site relative to many services, and the intended occupancy of the units, I have not been persuaded that future occupiers would meet many of their day-to-day requirements without reliance on the private car, or that they would generally make use of the facilities in the village.

Whilst I note the sustainability report submitted by the agent highlights the 6C's Design Guide states that 'generally walking distances to bus stops....in rural areas the walking distance should not be more than 800m' the intended occupants and the demographic of potential purchasers of accessible bungalows may not consider the 0.5 kilometre walk an accessible distance that would dissuade them from using the private car.

I note that the Borough Council approved a development (ref: 2012/0057) which is 160 metres to the south of the application site and the agent has suggested this development would have similar access issues. However on considering this development it is noted that the vehicle access to the site is opposite the bus stop on Collyer Road so walking distances would be significantly less. I would also note that this comprehensive development site would account for a mixture of housing types and would not be intended for retirement age occupants.

I therefore consider, given the site is not well served by public transport and given its distance from local facilities, that a residential development of dwellings suitable for retirement as proposed would be not be in a sustainable location and I am of the view that it is likely that there would be an increased reliance on private motor vehicles or that residents of the development may become isolated.

I therefore consider that the proposal fails to accord with paragraphs 49 and 55 of the NPPF and that the location of the development away from local facilities and the defined village envelope would not accord with the Framework's objective of providing inclusive and mixed communities.

#### The principle of the layout design and appearance of the proposed development

The Government attaches great importance to the design of the built environment. Section 7 of the NPPF states inter-alia, that good design is a key aspect of sustainable development and that it should contribute positively to making places better for people. Developments should function well and add to the overall quality of the area, respond to local character and history, reflecting the identity of local surroundings and materials and be visually attractive as a result of good architectural and appropriate landscape.

Criterion a. and c. of Policy ENV1 of the RLP are also relevant in this instance. These state that planning permission will be granted for development provided it is in accordance with other Local Plan policies and that proposals are, amongst other things, of a high standard of design which have regard to the appearance of the area and do not adversely affect the area by reason of their scale, bulk, form, layout or materials.

Policy 10 of the ACSSD looks at design and enhancing local identity and reflects the guidance contained in both the NPPF and Replacement Local Plan policies.



I note that the application is outline with all matters reserved at this time. Although matters of access, appearance, landscaping, layout and scale are reserved for future determination, an indicative site layout have been deposited with the application which I consider would set the parameters of the development for the future reserved matters application. I would note that the maximum parameters for the residential units have been submitted by the agent.

I am satisfied that the application site is capable of accommodating the proposed dwellings of the specified dimensions without appearing cramped or over intensive, I note the comments from the Urban Design Officer who raises issues with the layout and am of the view that the indicative layout submitted with the application could be improved in terms of the rear garden areas not facing onto highways. Although there are a few minor issues with the indicative layout all matters are reserved with this application and a revised layout could be considered at Reserved Matters stage to address these concerns.

I am satisfied given the maximum parameters set by the agent that the scale and bulk of the proposed single-storey dwellings as outlined would be acceptable.

I therefore consider that the indicative details deposited could be improved at Reserved Matters stage in order for the application to accord with the NPPF, policy ENV1 of the RLP and Policy 10 of the ACS.

#### Impact on neighbouring amenity

Criterion b. of Policy ENV of the RLP is relevant in this instance and states that planning permission would be granted for development providing that it would not have a significant adverse effect on the amenities of occupiers of neighbouring properties or the locality in general.

Criterion f) of Policy 10 of the ACSSD relating to impact upon the amenity of nearby residents and occupiers is also relevant in considering the proposal.

I am satisfied, that as shown on the indicative layout and the maximum parameters set for the dwellings, the proposed development would not result in any material overbearing or overshadowing impact on neighbouring residential amenity due to the scale of the properties and their relationship with neighbouring dwellings on North Green.

I therefore consider that the indicative details submitted with the application accord with the NPPF, Policy ENV1 of the RLP and Policy 10 of the ACS.

#### Highway Implications

Criterion c. of policy ENV1 of the RLP requires that development should include adequate provisions for the safe and convenient access and circulation of pedestrians and vehicles. Policy T10 of the RLP also requires that in considering proposals for new development reference will be made to the Highway Authority's

highway design.

I note the Highway Authority have raised no objections to the principle of the development in this location as there would be no adverse impacts on the County's roads. However there are a number of detailed highway issues which require clarification and need to be addressed. The detailed requirements of the Highway Authority have been forwarded to the agent and should be adhered to on the submission of an application for Reserved Matters.

When considering parking provision for residential properties the Gedling Borough Council's Parking Provision for Residential Developments (SPD) is relevant. When considering development for over 6 dwellings the SPD offers a flexible approach on car parking provision with a mixture of allocated and unallocated car parking. I am satisfied that the proposed site is of a size which could accommodate sufficient on street and off street car parking to serve the development without causing any highway safety implications. Given the submitted plans only offer an indicative layout the precise details of the access and car parking provision would need to be secured via condition and approved at the Reserved Matters planning application stage.

### Planning Obligations

With regards to the planning obligations the agent has submitted a draft section 106 agreement. The potential planning obligations would be dealt with through the reserved matters application process to secure any necessary requirements as all matters are reserved at this stage.

Given that the site is 0.48Ha the proposed development is subject to the following developer contributions: -

### Education

In terms of education provision, based on the current pupil projections, additional secondary school places can be accommodated in existing schools, however the primary schools are at capacity and unable to accommodate any additional places. Whilst I note that the agent has indicated the properties would be designed to be suitable for retirement age there would be no restrictions limiting the occupants or purchasers of the bungalows to the over 60's age group. Therefore, the proposed development of 21 dwellings would yield an additional 4 primary places. The County Council would therefore wish to seek a contribution towards education provision to provide additional primary provision to serve the development.

### Open Space

Policy R3 of the RLP requires that on residential development sites of 0.4Ha a minimum standard of 10% local open space should be provided to serve that development which will be secured through planning conditions or negotiation of a S106. The agent has indicated that provision would be made through a financial contribution to the Local Authority to provide facilities off site or enhance nearby local facilities.

## Community Facilities

Policy C2 of the RLP requires that consideration will be given to the need for the provision of community facilities arising from a proposed new development of 0.4Ha. This will be secured through the imposition of conditions or through planning obligations, legal agreements or financial contributions related to the scale of the development proposed.

## Affordable Housing

Given that up to 21 dwellings are proposed, Policy H18 of the RLP requires the negotiation to secure an affordable housing contribution either by making 20% of the units on site affordable housing or by means of a commuted sum if this was not achievable.

Although the agent has indicated willingness in the planning statement to enter into agreements for 20% of housing in the development to be made available for affordable housing, given my significant concerns in relation to the inappropriateness of the proposed development within the Green Belt and that very special circumstances have not, in my opinion, been demonstrated to justify the proposal, I do not consider that it would be reasonable to pursue these matters further at this stage.

## CONCLUSION

In conclusion, the proposal would be inappropriate development in the Green Belt as defined by the Framework, and would additionally have a significant effect on the openness of the area. It is my view that this harm should be given substantial weight. Whilst the benefits of meeting housing needs would accord with national planning guidance, the Framework makes clear that planning proposals are to be judged against all the relevant policies it contains. These Policies include very strict control over development in Green Belts necessary to ensure their protection. In that context I have had particular regard to the Ministerial Statement dated 1<sup>st</sup> July 2013 where the Secretary of State clarified that, although each case will depend on its facts, unmet housing need is unlikely to outweigh harm to the Green Belt and constitute the very special circumstances justifying inappropriate development.

I accept that the residential development would not conflict with the built form of other properties in the area, and that the indicative layout plan demonstrates how a scheme could be laid out to provide adequate areas of amenity space and car parking. I do not consider these matters, whose effects are neutral, to weigh in favour of the scheme in this instance. I also consider that the introduction of built form on the site would materially impact on the openness of the Green Belt and would not offer landscape and visual improvements through the redevelopment of the site.

Although I note that there is a need for accessible bungalows in the Gedling Area and the principle of the development may be acceptable in terms of scale and layout, I do not consider that, in this instance very special circumstances have been evidenced to demonstrate that there are material considerations which amount to

very special circumstances which would outweigh the harm, as a result of the inappropriateness of the development, to the open character or permanence of the Green Belt.

I therefore consider that the proposal fails to accord with National and Local Green Belt Policy and recommend accordingly that permission be refused on these grounds.

**Recommendation:**

**To REFUSE PLANNING PERMISSION.**

1. In the opinion of the Borough Council, the proposed development would constitute inappropriate development in the Green Belt by virtue of not serving the five purposes of including land within the Green Belt. Therefore, in the absence of any very special circumstances the proposed development would, by definition, be harmful to the Green Belt contrary to the guidance contained within the National Planning Policy Framework (2012) and Policy ENV26 of the Gedling Borough Replacement Local Plan (Certain Saved Policies) 2008.

**Notes to Applicant**

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework. The proposal was the subject of pre-application discussions and the agent was made aware of the policy objections. The applicant has been made aware of the situation in writing and in order to avoid the applicant incurring further abortive costs, consideration has not been delayed by discussions, which cannot resolve the reasons for refusal, to facilitate a decision in a timely fashion.