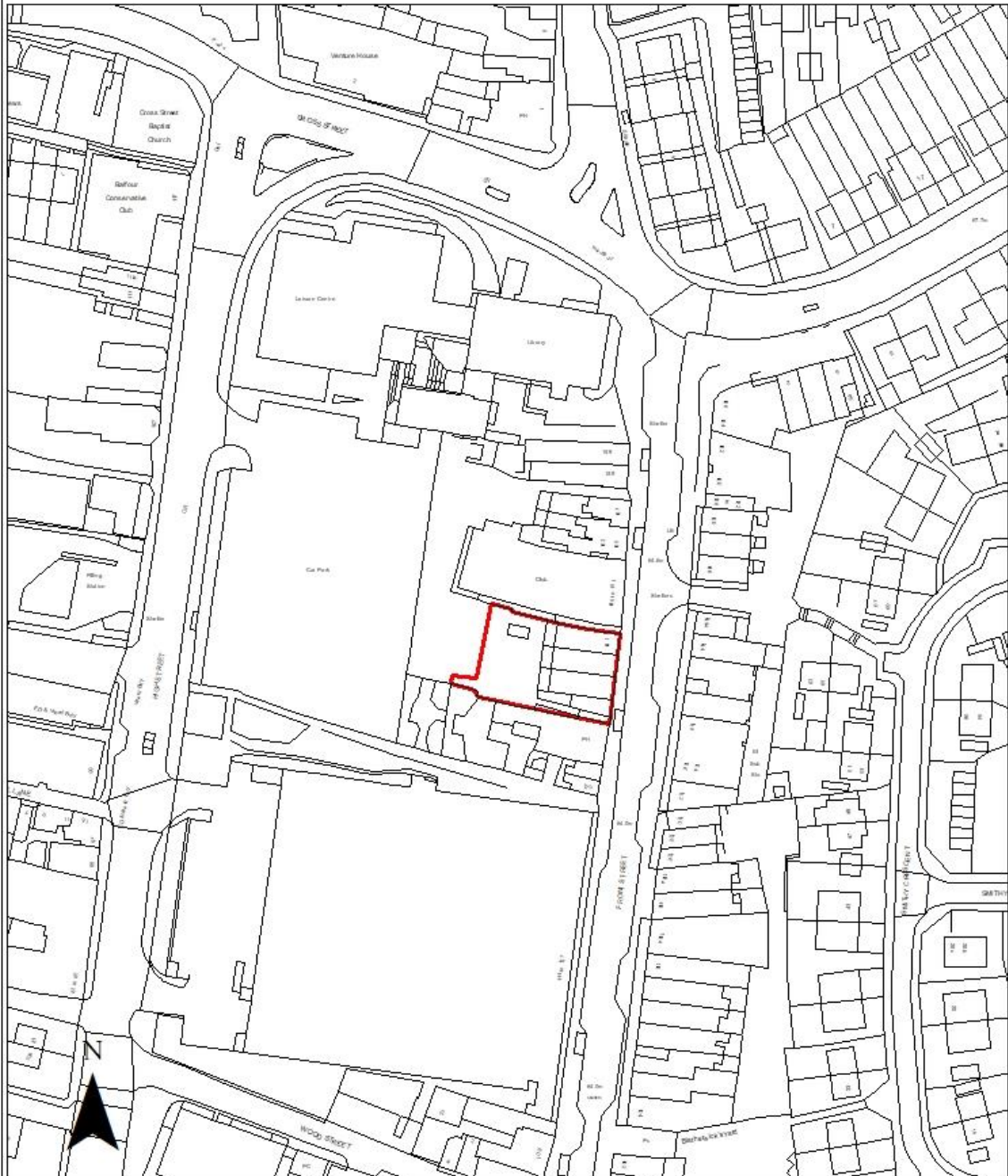




Planning Report for 2021/1135

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Planning Reference: 2021/1135
135-1441 Front Street
Arnold



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:	2021/1135
Location:	135-141 Front Street Arnold
Proposal:	Demolition of existing building and the creation of residential apartments and ground floor commercial units.
Applicant:	Mr Michael Zucker
Agent:	JLK Architectural Design
Case Officer:	Bev Pearson

This application has been referred to the Planning Committee as part of the application site is land owned by Gedling Borough Council.

1.0 Site Description

1.1 This application relates to a terrace of four two storey flat roof buildings located on the western side of Front Street within the Arnold Secondary Shopping Area as identified on the Proposals Map of the Local Plan Document (2018).

1.2 The ground floor comprises a café (Use Class E formerly Class A3 of The Town and Country Planning (Use Classes) Order 1987 (as amended) (the 'Use Classes Order')), a chip shop (Use Class Sui Generis formerly Class A5) and two vacant units, a retail unit (Use Class E formerly Use Class A1) and a tattoo studio (Use Class Sui Generis formerly Class Sui Generis). The upper floors comprise 4no. residential units. To the rear this terrace of properties has flat roof projections.

1.3 The site is adjoined to the south by a three storey pitched roof rendered public house with beer garden to the rear, to the north by a two storey pitched roof building comprising 2 no. vacant ground floor retail units with the Former Arnold Working Men's Club occupying the upper floors which has a flat roof projection to the rear. On the opposite side of Front Street is a flat roof 2/3 storey building with ground floor commercial units and currently vacant offices to the upper floors. To the rear the site is adjoined by a Gedling Borough Council public car park serving the Arnold Leisure Centre and the Town Centre.

2.0 Proposed Development

2.1 Full planning permission is sought for the demolition of the existing building and erection of a three storey flat roof building with 2no. ground floor commercial units and a total of 9 no. first and second floor apartments

2.2 The building would have maximum dimensions of 24m depth and 19.3m width. The building would be flat roof with a maximum height of 9.3m (minimum height of 7.4m)

2.3 The ground floor commercial units would comprise 320 sq.m of floor space to the front falling within Class E (shop, financial and professional services or café) and Sui Generis (hot food takeaway) uses of the 'Use Classes Order' together with internal service areas serving both the ground floor and the upper floor residential units.

2.4 At first floor there would be 4 no. 1 bed and 1 no. 2 bed apartments and at second floor 3 no. 1 bed and 1 no. 2 bed apartments. The second floor apartments would be served by external balconies.

2.5 4no. parking spaces would be provided to the rear together with a loading bay and bin stores. Internal cycle storage would be provided to the ground floor serving the apartments.

2.6 External materials would comprise red brick, dark grey and light grey cladding.

3.0 Relevant Planning History

3.1 There is no recent planning history on the application site that is pertinent to the determination of this application.

4.0 Consultations

4.1 Nottinghamshire County Council Highways Authority – no objections subject to conditions relating to surfacing and delineation and use of parking and turning areas, the construction of the bin store, and doors and windows to Front Street frontage being inward opening only.

4.2 Gedling Borough Council Scientific Officer - recommends conditions requiring the submission of a Construction Emission Management Plan and the provision of EV charging points.

4.3 Gedling Borough Council Economic Development – no objection.

4.4 Gedling Borough Council Environmental Health – no objection subject to appropriate installation and design of any extraction flues and suitable mitigation measures for any hot food takeaway or hot food preparation use

4.5 Gedling Borough Council Waste Services – no objections.

4.6 Parks and Street Care - the principle of accessing the site from Gedling Borough Council land is acceptable. This has been the case since the buildings were first built.

4.7 Members of the Public

- Loss of existing thriving independent businesses, some with longstanding history in Arnold, and impact on the town centre, the community and Arnold
- Financial impact on existing business if they were to occupy the new units
- Lack of contact from applicant regarding the application
- Residential use would deter people from this part of Front Street, impacting on footfall and disruption of existing businesses
- Excessive number of residential units and unacceptable density
- Parking issues – inadequate parking spaces proposed – none of which are for disabled people
- Impact on character of the area through loss of existing small businesses
- The proposal is for a block of flats with 2 small retail units at ground floor – retail units would be unusable as there is no rear access for loading stock
- Raise highway and pedestrian safety issues given the increase in number of residents and access from car park to rear
- Nature of the tenancy of the new units
- There is no need to demolish the existing building
- There is no benefit to the community
- There is a sinkhole to the rear car park – regularly refilled
- Increased traffic flow through the town centre
- Noise pollution and loss of light impact
- There is no need for residential units in town centre – these do not meet its definition
- There should be more local shops to attract footfall
- Gedling should support local businesses – Covid has been difficult for local businesses
- Vacant unit should be redeveloped rather than demolishing existing ones
- Where will families currently living above the shops now live
- Impact on neighbouring amenity in terms of noise, disturbance overshadowing would deter shoppers to this end of the High Street and affect local trade

- The buildings to be demolished would contain hazardous materials
- Changes of bus routes during demolition would impact on local trade
- The businesses to be lost should receive support
- There is a petition
- Congestion on neighbouring roads
- Previous investment in the town has not been beneficial
- Adverse modern design out of keeping with the surrounding area
- Devaluation of neighbouring properties
- Lack of care for loss of businesses by the applicant
- Lack of consistency between the Design and Access Statement and the plans – one or two commercial units
- There is no anti-social behaviour in the adjacent alley way
- The existing units are not dilapidated
- The proposal fails to meet the councils affordable housing policy - the flats would be sold at high premiums
- Impact of adjacent properties on the residential units
- Notification and an accompanying link has been received in relation to a Petition with 1735 signatories [Petition · Save Arnold's Front Street's Shops · Change.org](#) – the comments have been included within the summary above

One letter of support has been received welcoming the improvements of the site

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 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'.

Development Plan Policies

The following policies are relevant to the application.

5.2 [The National Planning Policy Framework \(2021\)](#) sets out the national objectives for delivering sustainable development. Sections 4 (Decision making), 6 (Building a strong and competitive economy), 7 (Ensuring the vitality of town centres), 9 (Promoting sustainable transport) 11 (Making effective use of land) and 12 (Achieving well-designed places) and 14 (meeting the challenge of climate change, flooding and coastal change)

5.3 The Greater Nottingham Aligned Core Strategy (ACS) Part 1 Local Plan (September 2014) is part of the development plan for the area. The following policies are relevant in considering this application:

- 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 2: The Spatial Strategy – states that sustainable development will be achieved through a strategy of urban concentration with regeneration.
- Policy 6: Role of Town and Local Centres – identifies Arnold as town within the retail hierarchy. Part 6 sets out the vitality and viability of centres will be maintained including widening the range of uses. This policy also identifies Arnold town Centre as being in need of enhancement.
- Policy 10: Design and Enhancing Local Identity – sets out the criteria that development will need to meet with respect to design considerations.

5.4 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 4: Surface Water Management – sets out the approach to surface water management.
- LPD 11: 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.
- LPD 32: Amenity – planning permission will be granted for proposals that do not have a significant adverse impact on the amenity of nearby residents or occupiers.
- 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 36: Affordable Housing - sets out criteria for the provision of affordable housing.
- LPD 49: Retail Hierarchy and Town Centre Boundaries – identifies Arnold as a town centre within the retail hierarchy.
- LPD 50: Development within Town and local centres – identifies the types of uses of development that is likely to be acceptable in town centres.

- LPD 51: Upper Floors – sets out the requirements for development of upper floors in town centres.
- LPD 57: Parking Standards – sets out the requirements for parking.
- LPD 61: Highway Safety – sets out that planning permission will be granted for developments that do not have a detrimental impact upon highway safety, movement and access needs.

5.5 Supplementary Planning Documents/Guidance

- Parking Provision for Residential and Non-Residential Developments Supplementary Planning Document (2022) sets out parking requirements.
- Gedling Borough Council Interim Planning Policy Statement: First Homes (2022)
- Air Quality and Emissions Mitigation Guidance for Developers(2019)

6.0 Planning Considerations

Principle of Development

6.1 Arnold is identified as a Town centre within the retail hierarchy set out in Policy LPD 49. The application site falls within the Secondary Shopping Area of Arnold Town Centre and is identified as an area that is underperforming in Policy 6 of the Aligned Core Strategy. Policies within both Policy 6 of Aligned Core Strategy and Policy LPD 50 of the Local Planning Document highlight the importance of having a vibrant town centre with a wide range of uses. The proposal would enhance the appearance and the shopping experience of this part of the Secondary Shopping Area and would retain ground floor main town centre uses safeguarding the vitality and viability and the economy of the Town Centre.

The principle of the proposal is therefore considered acceptable subject to the following considerations:-

Design

6.2 It is accepted that the proposed building being three storey in scale and with a larger footprint than currently exists would result in an increase in built form on the site.

However, there is a considerable variation in scale and design of buildings along this section Front Street. Although its modern design is in contrast to the adjacent public house, which has traditional pitched roof bay fronted appearance, which is not a largely common characteristic in the immediately surrounding, area the proposed building would reflect the predominant scale, character and appearance of other buildings in the area, this being two or three storey flat roof buildings with ground floor commercial units and upper floor offices or residential units or the Asda supermarket to the south.

6.3 External materials would be traditional red brick with a mix of more modern ladding materials to the second floor and detailing around the building. The shop fronts would present a predominantly glazed ground floor frontage.

6.4 The replacement of the existing building together with the replacement of the rear projections would greatly enhance the character and appearance and the visual amenity of the site and this part of the Secondary Shopping Area when viewed from both Front Street and the public car park and High Street to the rear.

6.5 Taking the above into account it is considered that the development would provide an attractive built form in an area in need of some regeneration and enhancement. The proposal therefore complies with Section 12 of the NPPF, Policy 10 of the ACS and Policy LPD 35 and LPD 50 of the LPD.

Impact on the Town Centre

6.6 The application site falls within the Arnold Secondary Shopping Area.

6.7 Although existing commercial units would be demolished the proposal would result in the replacement of an existing Class E retail unit (formerly A1 Use), a café (formerly and A3), and two Sui Generis units comprising a hot food takeaway (formerly an A5 Use) and a tattoo studio with 2no. units with larger commercial floor spaces. The proposed uses sought for these ground floor commercial units (Class E and Sui Generis hot food takeaway) would be considered acceptable uses and would not result in any greater grouping on non A1 uses than currently exists. Furthermore the proposed ground floor development would be for Town Centre uses. It is considered reasonable to attach a condition should permission be granted restricting the use of only one of either of the proposed ground floor units to be for hot food takeaway or a café involving hot food preparation to ensure that there is an appropriate mix of uses in the Secondary Shopping Area.

6.8 Given the desire to improve the Arnold shopping experience the proposed development would enhance and regenerate the appearance of this area of Front Street by introducing modern more attractive commercial units to the Secondary Shopping Area and the Town Centre. It would consequently enhance the vitality and viability and customer experience of the Secondary Shopping Area with uses that are appropriate in a town centre location. As such the proposal would be considered to comply with Policy A, Policy 2 and Policy 6 of the ACS and Policy LPD 50 of the LPD.

Upper Floor Development

6.9 It is noted that the existing building has residential uses to its upper floor. The principle of the proposed residential use of the first and second floors of the building is considered acceptable as supported by Policy LPD 51 of the Local Planning Document. There would be separate access to the residential accommodation from the side of the building accessed from the rear. Taking account to this and that the residential uses are solely to the first and second floors there would be no unacceptable conflict with the rear servicing area nor would it detract from the character of the area.

6.10 The proposal is therefore considered to accord with Policy LPD 51.

Residential amenity

6.11 Of relevance to this application, Policy LPD32 of the Local Planning Document requires that development proposals should not have a significant adverse impact on the amenity of nearby residents in terms of overlooking, noise, level of activity on the site, traffic or other forms of pollution. Policy LPD50 also sets out that development should not cause adverse impact on the amenity of nearby residents and occupiers.

6.12 Proposed windows and the second floor balcony serving the residential units would be predominantly to the front and rear of the building. Side windows would directly overlook blank walls of adjacent properties.

6.13 Given the location of the development and its relationship with neighbouring properties it is not considered that it would result in any greater impact on the occupiers of these adjacent properties than currently exists.

6.14 By virtue of their being no ground floor residential accommodation it is not considered that the parking areas or loading bays would result in any significant harm to amenity.

6.15 With regards to the proposed upper floor residential units it is considered that an appropriate level of amenity would be provided in terms of the floor areas of the individual units and their relationship with adjacent buildings.

6.16 Should either of the proposed ground floor units be occupied for the purposes of hot food takeaway or the preparation of hot food it is considered reasonable to attach a condition requiring the submission of details of a means of ventilation and extraction and mitigation measures to prevent fumes or odours impacting on the amenity of occupiers of neighbouring buildings or the proposed upper floor residential units.

The proposal is therefore considered to accord with Policy LPD 32 and LPD 50 and LPD 51 of the Local Planning Document.

Highway Matters

6.17 The commercial and residential units would be serviced and accessed from the rear, through the public car park owned by the Borough Council which is the current arrangement. It is not considered that the proposed development would so significantly increase levels of traffic over and above that which currently exists at the site or within the Town centre to result in harm to highway or pedestrian safety

6.18 Guidance in relation to parking provision is contained within the document Parking Provision for Residential and Non-Residential Developments SPD – (2022). This would require 11 no. parking spaces
A total of 4 no. unallocated parking spaces would be provided to serve the residential units. Para 4.13 of the Parking Provision for Residential and Non-Residential Developments Supplementary Planning Document states that:-

‘The expectation is that parking standards will be met. However if the development is served by one or more regular public transport, this may be a material consideration justifying a reduced parking provision requirement, especially if the site is located within or close to a central area’

Given the sustainable location of the site well served by public car parks and public transport it is considered that this allows a relaxation of the parking standards in Arnold Town Centre.

Taking this into account it is considered that a refusal of planning permission on the basis of inadequate parking provision would not be reasonable in this instance.

6.19 The comments of the Highway Authority are noted and the recommended conditions considered reasonable.

6.20 Taking the above into account it is considered that the proposed development would not be detrimental to highway safety and adequate the proposal is considered to accord with LPD 50, LPD Policy 57 and LPD 61 and the Parking Provision for Residential and Non-Residential Developments SPD – (2022).

Other Matters

Waste

6.21 The Councils Refuse Team have raised no objections to the proposed bin store areas.

Flood

6.22 The site falls within flood zone 1 so is not at risk of flooding. The proposed building would replace an existing terrace of properties. It is not considered that it would result in any greater surface water run off than currently exists. The proposal therefore accords with Policy LPD4.

Deliveries

6.23 The Highway Authority has assessed the proposals and how the development would operate. No objection has been raised.

Air Quality

6.24 An EV charging point would be required to ensure that the development is broadly sustainable and a Construction Emissions Management Plan in line with Policy LPD11 and the guidance in the Councils Air quality and Emissions Mitigation document to ensure that the amenity of occupiers of neighbouring properties is respected. These can be secured by condition.

A number of other matters have been raised by members of the public and these are addressed below. Concern has been raised that:-

Financial impact on existing businesses if they occupy the new units

6.25 This would be a private legal matter between the landlord and prospective occupiers of the commercial units

Business assistance from Borough Council for proprietors of the demolished businesses

6.26 The Council's Economic Development team offer a free and confidential service to businesses looking to relocate in the Borough.

Improvement of existing properties rather than demolition

6.27 The Council must consider and determine planning applications before them. There are no specific powers or requirements to consider alternative schemes.

Sink hole

6.28 This would be covered by Building Regulations during development.

Devaluation of adjacent properties

6.29 This is not a material planning consideration.

Consistency between documents and plans deposited with the application (1 or 2 ground floor units)

6.30 The plans deposited with the application clearly indicate 2 no. ground floor units each with shop fronts and access doors with an overall floor area of 320 sq.m.

Changes of bus routes during demolition

6.31 It would not be necessary to close the public highway. Any temporary relocation of the adjacent bus stop would be determined by the Highway authority in consultation with the bus service operators.

Hazardous materials during demolition

6.32 The Council's Scientific Officer has advised that the building proposed to be demolished could contain asbestos materials. This would be controlled by The Control of Asbestos Regulations 2012 which require that suitable and sufficient assessment is carried out as to whether asbestos is or is liable to be present before demolition or other work is carried out and that a suitable written plan of work must be prepared before any work is carried out - the work must be carried out in accordance with that plan.

Residential density

6.33. The density of the proposed development would not be incongruous within a Town Centre location with ground floor commercial units and upper floor apartments.

Relocation of existing families

6.34 This cannot be given any weight in determining the planning application. While this is a private matter, the owner/landlord is required to meet their

obligations under other legislation. The Council's Housing Needs team may also be able to provide advice to any affected tenants.

Nature of the tenancy of the residential units

6.35 The development falls below the threshold of 15 dwellings set out in Policy LPD36 of the LPD and 10 dwellings for the provision of First Homes set out in para 65 of the NPPF and the Councils Interim Policy: First homes. The application proposes market housing. Therefore there is no policy requirement to provide affordable housing on site.

Lack of notification from the applicant

6.36 This would be a matter for the applicant. The Council has carried out its statutory consultation duty through neighbour consultation and the posting of site notice.

Anti-social behaviour

6.37 The proposed development would be considered to assist in deterring anti-social behaviour as the residential units would be in use 24 hours a day with overlooking windows.

7.0 Conclusion

7.1 The principle of the development is supported given that it would result in the enhancement of the character and appearance of this section of Front Street and High Street to the rear as well as enhance the vitality and viability of the Arnold Secondary Shopping Area. The layout, design and appearance of the building is considered acceptable. This together with the proposed upper floor residential units would not be considered to be detrimental to the amenity of neighbouring buildings nor to highway safety.

7.2 Taking the above into account it is considered that the proposal is a sustainable form of development which is appropriate for its context and in accordance with Sections 4, 5, 6, 7, 9, 11, 12 and 14 of the NPPF 2021, Policy A, Policy 2, Policy 6, Policy 10 of the Aligned Core Strategy (2014), Policies LPD 4, LPD 11, LPD 32, LPD 35, LPD 49, LPD 50, LPD 51, LPD 57 and LPD 61 of the Local Planning Document (2018), Parking Provision for Residential and Non-Residential Developments Supplementary Planning Document (2022) sets out parking requirements, Gedling Borough Council Interim Planning Policy Statement: First Homes (2022) and Air Quality and Emissions Mitigation Guidance for Developers(2019)

8.0 Recommendation: Grant full planning permission subject to the conditions listed and for the reasons set out in the report

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 deposited on the 15th March 2022:-

Existing Elevations drg. no. Ex EL 1
Existing Ground Floor Plan drg. no. EX GP
Existing Block Plan drg. no. Rev A
Location Plan drg. no. Loc PI Rev A
Proposed Block Plan drg. no. Blcpl Rev A
Proposed Site Plan drg. no. Pr BP Rev E
Proposed Ground Floor Plan drg. no. Prgf Rev D
Proposed First Floor Plan drg. no. Prff Rev A
Proposed Second Floor drg. no. prsf Rev A
Proposed Elevations Sheet 2 drg. no. Pr EI 2 Rev B; and Proposed Elevations sheet 1 drg. no. Pr EI 1 Rev B received on the 12th April 2022; and

Correspondence dated 14th November 2022 with regards to proposed uses.

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

3 Prior to above ground works commencing details/samples of materials to be used in the external appearance of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved plans.

4 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 drawing 'Proposed Block Plan' Loc P1. The parking, turning and servicing areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking, turning and loading and unloading of vehicles.

5 No part of the development hereby permitted shall be brought into use until the bin store has been constructed and positioned in accordance with drawing Proposed Block Plan drg. no. Blcpl Rev A

6 The new doors and windows on the street frontage shall open inwards only. The approved doors and windows shall then be retained for the life of the development.

7 Prior to the occupation of any unit for hot food takeaway use (Sui generis) or the preparation of hot food (Café Class E b)) precise details of the means of ventilation and extraction including appropriate mitigation measures shall be submitted and approved in writing by the Local planning Authority. The means of ventilation and extraction and any mitigation measures shall be maintained in good working order for the lifetime of the hot food take away or preparation of hot food for a café.

8 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, thereafter, be undertaken in accordance with the approved CEMP.

9 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 residents.

10 The ground floor commercial units hereby approved shall be used for Class E and of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) nor for any other use falling within Sui Generis other than Hot Food Takeaway.

11 There shall only be one Hot Food Takeaway on the site at any one time

Reasons

1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004

2 For the avoidance of doubt and to define the permission.

3 In the interests of visual amenity in accordance with Policy 10 of the ACS.

4 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.

5 To enable the bins to be collected by the refuse team on collection day.

6 In the interests of Highway and pedestrian safety.

7 To safeguard the amenity of the occupiers of nearby properties in accordance with Policy LPD 32 of the LPD.

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.

9 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.

10 For avoidance of doubt and to define the permission

11 The use of the site for 2 no. Sui Generis uses would require further assessment.

Reasons for Decision

The principle of the development is supported given that it would result in the enhancement of the character and appearance of this section of Front Street and High Street to the rear as well as enhancing the vitality and viability of Arnold

Secondary Shopping Area and the town centre. The layout, design and appearance of the building is considered acceptable. This together with the proposed upper floor residential units would not be detrimental to the amenity of neighbouring buildings nor to highway safety. It is therefore considered that the proposal is a sustainable form of development which is appropriate for its context and in accordance with Sections 4, 7, 9, 11 and 12 of the (NPPF 2021), Policy A, Policy 2, Policy 6, Policy 10 of the Aligned Core Strategy (2014) and Policies LPD 4, LPD 11, LPD 32, LPD 33, LPD 35, LPD 49, LPD 50, LPD 51, LPD 57 and LPD 61 of the Local Planning Document(2018)

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 PAYABLE on the development hereby approved as is detailed below. Full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, residential extension or residential annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website or from the Planning Portal:

www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

The proposed development will include the demolition of the existing buildings which could contain asbestos materials. The Control of Asbestos Regulations 2012 (CAR2012) require that suitable and sufficient assessment is carried out as to whether asbestos is or is liable to be present before demolition or other work is carried out. CAR 2012 requires that a suitable written plan of work

must be prepared before any work is carried out and the work must be carried out in accordance with that plan. If asbestos is not managed appropriately then the site may require a detailed site investigation and could become contaminated land as defined in Part 2A of the Environmental Protection Act 1990

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 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

The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework. Negotiations have taken place during the consideration of the application to address adverse impacts identified by officers and/or address concerns raised by letters of representation submitted in connection with the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.