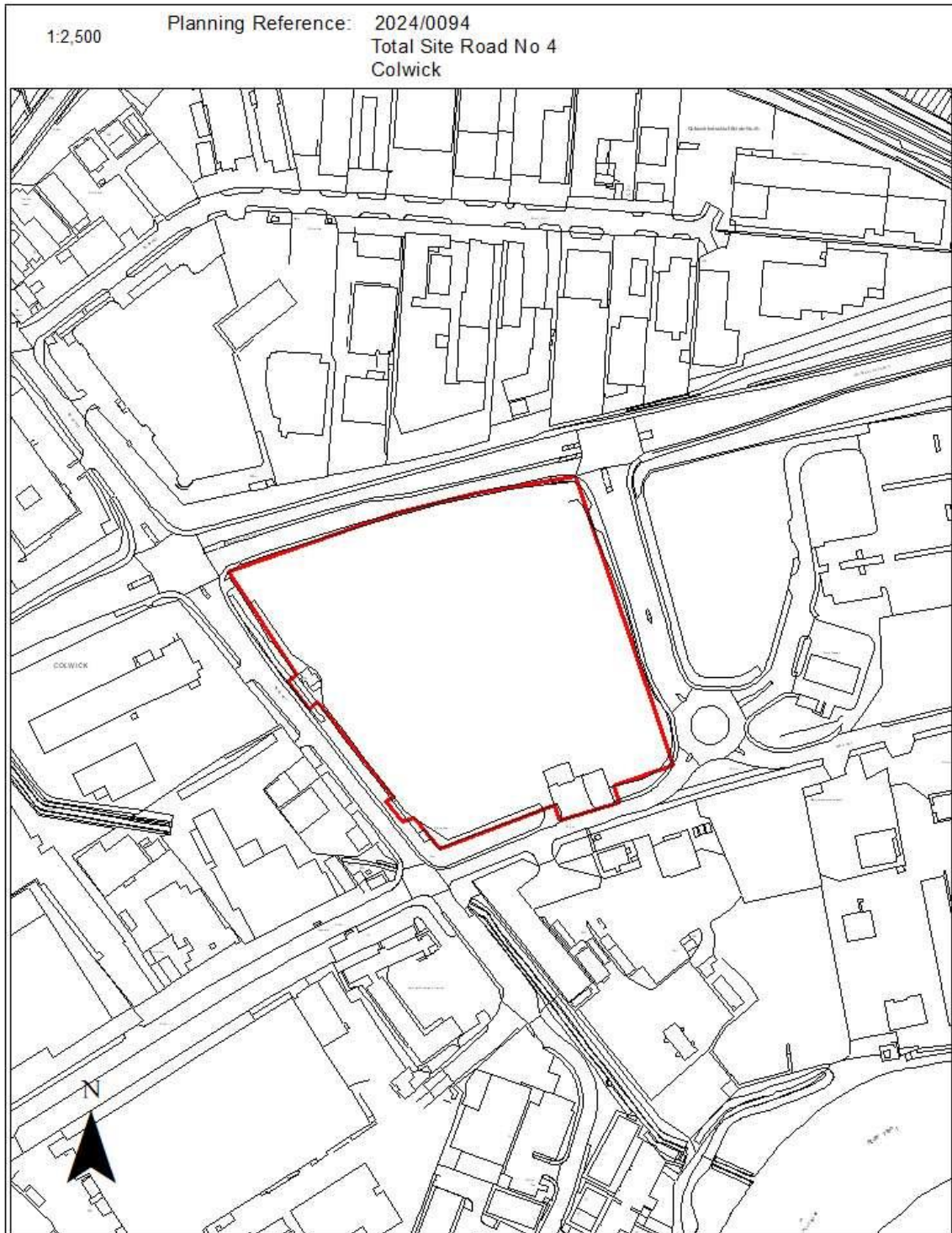




Planning Report for 2024/0094



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:	2024/0094
Location:	Total Site, Road No 3, Colwick
Proposal:	The erection of industrial and warehouse units (Use Classes E(g)(iii), B2 and B8) together with access and servicing arrangements, parking, landscaping, boundary fencing and associated works.
Applicant:	Chancerygate (Nottingham) Limited
Agent:	Savills
Case Officer:	Joe Davies

The application is for development that equates to more than 5000 square metres of commercial floor space and therefore, in accordance with the Councils constitution, this application has been referred to Planning Committee for determination.

1.0 Site Description

- 1.1 The application site comprises land on an established industrial site and was formally occupied by Total as a petrochemical storage and distribution facility. The site is now vacant having been cleared of all storage tanks and office buildings. The site is bounded by Colwick Loop Road to the north and Private Road No 1 to the west. To the east is a new builders' merchant, with the new Sainsbury superstore beyond this. The surrounding area is generally characterised by industrial and commercial buildings, with some offices and retail in the surrounding area also.
- 1.2 The application site is within flood zone 3, in an area benefitting from flood defences. The land is set slightly down from the Colwick Loop Road to the north, although the site is generally flat. There is existing access to the site from Road No 3 to the south.

2.0 Relevant Planning History

- 2.1 Planning application 2022/0798 was considered at the Planning Committee of January 11th 2023, with the decision notice issued on the 13th. The application title is: *"1) erection of a building for use as a builders merchant (Sui Generis) with trade counters and ancillary kitchen joinery showroom for the display, sale and storage of building, timber and plumbing supplies, plant and tool hire, including outside display and storage including storage racking; and 2) erection*

of industrial and logistics units (Use Classes E(g)(iii), B2 and B8); together with access and servicing arrangements, parking and landscaping, boundary fencing and associated works.”

3.0 Proposed Development

- 3.1 This application seeks permission for the construction of warehouse and industrial units within classes E(g)(iii), B2 and B8 together with access and servicing arrangements, parking, landscaping and associated works. The works would comprise the construction of 19 units altogether. The units would be finished in grey and silver composite cladding, with powder coated aluminium-framed windows. All of the units would have flat roofs.
- 3.2 In terms of changes between the current proposal and proposal that which benefits from planning permission, units 1-6 and 7-11 would remain the same, with units 13-18 replacing the previously proposed builders' merchant. Unit 19 has increased in size, following the provision of a second access to Road No.1 and Units 12-15 would be in the centre of the site. The proposals would use the same materials as the previous application, as set out in the submitted materials schedule.
- 3.3 The development would utilise the existing access from Road No.3 to the south of the site, which would provide a route through to road no 1. Unit 19 would have its own access from road no 1 too.

4.0 Consultations

- 4.1 Neighbouring properties have been consulted and a site notice and newspaper advert have been posted. No public representations have been received.
- 4.2 Scientific Officer – No objection subject to conditions regarding EV charging and contamination. It will also be conditioned that the development is carried out in accordance with the submitted Construction Emissions Management Plan.
- 4.3 NCC Highways – Initially raised concerns regarding planting within the highway limits, swept path analysis for an articulated vehicle and upgrades to bus infrastructure. However, following amendments by the applicant, they are satisfied with the swept path analysis and accept that an upgrade to existing bus infrastructure could be detrimental to the root system of adjacent highway trees and their subsequent longevity. As a result, they now have no objections subject to conditions regarding the provision of parking and turning facilities as well as a vehicular access point, the permanent closure of the redundant vehicular crossing, the provision of surface water drainage for the access road and the provision of a bus stop.
- 4.4 The Highway Authority have also indicated that they would be seeking a financial contribution of £15,000 for Travel Plan Monitoring, as well as a contribution toward replacement planting.

- 4.5 Health and Safety Executive – Confirmed that the Development Proximity Zone had been revoked during the course of application 2022/0798 and therefore they had no comment to make.
- 4.6 Environment Agency – Raised no objection subject to a condition requiring compliance with the submitted Flood Risk Assessment.
- 4.7 Tree Officer – No objection, subject to the tree protection measures in the tree survey/arboricultural method statement being conditioned. Also advised that permission from the Local Highway Authority would be needed for any trees within the highway boundary.
- 4.8 Lead Local Flood Authority – No objection, subject to the submission of a Surface Water Drainage Strategy being conditioned.

5.0 Policy

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’. The following national and local policies are relevant to the application.

5.2 At the national level the National Planning Policy Framework (NPPF) (2023) is relevant. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF sees good design as a key element of sustainable development. The following chapters are considered to be most pertinent:

2 – Achieving Sustainable development

4- Decision making

6 – Building a strong, competitive economy

9 – Promoting Sustainable Transport

12 - Achieving Well-designed places

14 – Meeting the challenge of climate change, flooding and coastal change

5.3 The Gedling Borough Council Aligned Core Strategy (GBACS) (September 2014) is part of the development plan for the area. The following policies are relevant in considering this application:

Policy 1: Climate change

Policy 4: Employment Provision and Economic Development

Policy 10: Design and Enhancing Local Identity

- 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 3: Managing Flood Risk

LPD 4: Surface Water Management

LPD 7: Contaminated Land

LPD 11: Air Quality

LPD 32: Amenity

LPD 44: Retention of Employment and Employment Uses

LPD 48: Local Labour Agreements

LPD 57 Parking Standards

LPD 61: Highway Safety

6.0 Evaluation

Principle of Development

- 6.1 The application site falls within an established industrial estate where the principle of such uses are supported, subject to compliance with a number of criteria and policies outlined above. The nature of the proposed development is also similar to that already granted permission under 2022/0798. Policy 44 is considered to be most pertinent and identifies that 'planning permission will be granted for the expansion, conversion or redevelopment of land and premises for employment uses on allocated employment sites provided', amongst other things, the use is within use classes B1 - B8 and sui generis uses of a similar nature; the development is of an appropriate scale; would not have an adverse impact on amenity; highway safety is not detrimentally impacted, nor heritage assets detrimentally affected. Given that the application site falls within flood zone 3, there would be a need to have regard to possible impacts on flooding. These matters are explored in more detail in this report; however, the broad principle of development, which would enhance the commercial use on site, is supported, especially given that there is an extant permission in place.

Impact on the character and appearance of the area

- 6.2 The proposed development consists of 5 main blocks of commercial buildings, each of which will be further split into a number of separate units, with 19 units at the site in total. The buildings will generally be of a scale and appearance that is in keeping with the commercial nature of the surrounding area. The materials to be used will be reflective of the area, and a mix of materials is proposed to break up large elevations and add interest to the appearance of the scheme.

- 6.3 Furthermore, the proposed buildings would be in keeping in design with the industrial nature of the site and its surroundings and would result in a significant improvement over the existing site, which detracts from the visual appearance of the area. Furthermore, the proposal would be of a similar scale and design to that already granted planning permission at the site, albeit of a slightly different layout with the parking provision and buildings spread across the site, rather than the parking being predominantly sited on one part of the site, with the buildings on the other. It could be argued that this would represent an improvement in terms of layout over the previously approved proposal.
- 6.4 The impact of the proposed development on design, visual amenity and the character and appearance of the area is therefore considered to be acceptable and in accordance with Section 12 of the NPPF (2023) and Policy 10 of the GBACS (2014).

Impact on the neighbouring amenity

- 6.5 The application site falls within an established industrial estate where there are a wide range of nearby commercial uses. There are no residential units in the nearby locality that would be detrimentally impacted and it is not considered that the use of the building would be harmful to the amenity of adjacent industrial units.
- 6.6 The site is a standalone site bordered by highways on all four sides and as such there will be a significant separation distance between the proposed buildings on the site and any neighbouring properties. As such it is considered that the proposal will not result in an unacceptable overbearing or overshadowing impact for the residents of any neighbouring properties.
- 6.7 Taking the above into account it is considered that there would be no unacceptable adverse impact on the amenities of the occupiers of adjacent properties in accordance with policies LPD32 and LPD 44.

Highway and parking

- 6.8 The proposed development will utilise the existing access from Road No 3 to the south of the site for Units 1 – 4, with a new access proposed from Road No 1 to the west of the site for Unit 5. The proposed new access requires the relocation of the bus stop on Road No 1, which has been agreed with the Highway Authority who also raise no objection to the proposed access.
- 6.9 The application has been supported by a Transport Assessment and framework travel plans, both of which have been reviewed by the Highway Authority who raise no objection to the proposal, subject to a number of conditions, which are recommended to be included as part of any planning permission. The assessment and modelling carried out indicates that additional traffic generated from the site will be accommodated on the local road network, without the need for improvements to highways or junctions. A total of 138 parking spaces are proposed to serve the industrial units, with 56 cycle parking spaces proposed.

- 6.10 In respect of parking provision, the Council's parking standards SPD states that parking provision for non-residential development should be in accordance with the Nottinghamshire County Council Highway Design Guide (2021). Regular discussions have taken place between the applicant and the Highway Authority who has raised no objection and confirms that the parking and turning areas within the site meet their requirements and are therefore acceptable.
- 6.11 The Local Highway Authority have also confirmed that the public transport and bus stop arrangements at the site are acceptable, with the bus stops on Road No.1 being reinstated on the plans, following concerns from the Local Highway Authority regarding their removal.
- 6.12 The Highway Authority have also sought financial contributions towards additional planting and £15,000 toward monitoring of the approved Travel Plan. However, the contributions are not considered to be reasonably necessary in that the scheme is, in affect, a re-submission of extant permission 2022/0798 where no financial contributions were sought or secured. To require such contributions when there is an extant permission of a similar scale, and no financial figure has been identified for the planting, is not considered to be reasonably necessary. This is particularly pertinent having regard to the fall back of implementing extant permission 2022/0798.
- 6.13 Having regard to the above it is considered that the application complies with policy LPD57 and LPD 61 in respect of parking standards and highway safety, with no reasonable justification for the financial contributions sought.

Ecology and Landscaping

- 6.14 The application site is not a designated wildlife site. A biodiversity survey has been carried out on the site and a report submitted with this application. The survey found no evidence of protected species on the site and identified no insurmountable constraints to the proposed development from an ecology and nature conservation perspective.
- 6.15 There are a number of trees and vegetation around the boundaries of the site, although it is noted that most of these are outside of the red line of the application site. There are no trees in or around the site that are covered by TPOs. To facilitate the proposed development a number of trees require removal. The Local Highway Authority have confirmed that they have no objection to this, subject to a financial contribution to compensate for their loss.
- 6.16 Soft landscaping is proposed throughout the site including new trees, hedgerows, shrub planting and grassed areas. The proposed landscaping will enhance the character of the surrounding area and the street scene on all sides when compared to the existing site and the former use of the site.
- 6.17 Furthermore, as the application was submitted and validated prior to the 12th February 2024, there is no requirement for the applicant to provide a 10% Biodiversity Net Gain, as part of the proposed works.
- 6.18 Overall it is considered that the proposed development is acceptable in respect of ecology and landscaping.

Flood Risk

- 6.19 The application site is within flood zone 3 and as such is within an area that is at risk of flooding. As the site is within a designated protected employment area identified in a recently adopted Local Plan the sequential and exceptions tests are not required by the NPPF.
- 6.20 A flood risk assessment has been submitted in support of this application as required by the NPPF. Whilst the site benefits from flood defences it is acknowledged that were the defences to fail the site would be liable to flooding. It is considered unlikely that this scenario would happen, however, the FRA sets out safe access, egress and evacuation of the site in the case of flooding. Floor levels are also set to be at a minimum of 600mm higher than existing site levels. The Environment Agency has reviewed the FRA and has raised no objection to the proposal.
- 6.21 The Lead Local Flood Authority have also confirmed that they have no objection to the proposed development, subject to the submission of a Surface Water Drainage Strategy being conditioned.
- 6.22 Overall it is considered that the proposal will not result in an unacceptable increase in flood risk to the application site or the surrounding area. The proposal is therefore considered to be in accordance with LPD 3 and LPD 4 of the Gedling Part 2 Local Plan.

Hazardous Substances

- 6.23 The site was previously in a Development Proximity Zone and this raised issues in the previous application at the site. However, the Health and Safety Executive have now confirmed that they consider this to be revoked from February 2023.
- 6.24 The Council is also of the opinion that automatic revocation of the Hazardous Substance Consent at the Total Site has taken place in accordance with section 17 of the Planning (Hazardous Substances) Act 1990 which states that automatic revocation takes place in the event of the change of person in control of the land. The Total Site has changed hands since it was used for the storage of oil to which the Hazardous Substance Consent relates. The site has also been cleared of all hazardous substances. Given no further application has been made for Hazardous Substance Consent at the site it is the view of the Council that the consent has been automatically revoked.
- 6.25 Furthermore, the proposed development is on the land for which the Hazardous Substance Consent related. No development related to the Hazardous Substance Consent could take place along with the development proposed as part of this application. Therefore, the proposed development cannot commence and be operational at the same time as any development in respect of hazardous substances on the same site, which would require a new planning permission in its own right.

- 6.26 With this in mind the HSE have raised no objection to the proposed development and it is considered that the impact in relation to hazardous substances is considered to be acceptable.

Other considerations

- 6.27 A construction and emissions management plan (CEMP) has been submitted by the applicant to support the application. The CEMP has been approved by the Council's Scientific Officer and it should be conditioned that the development shall be carried out in accordance with this.
- 6.28 A Remediation and Verification Strategy has been submitted in relation to contamination at the site. The Environment Agency raises no objection in respect of land contamination. However, they have recommended conditions to ensure that this remains the case. It is recommended that these conditions are included as part of any planning permission granted.
- 6.29 In accordance with LPD 48, the Borough council will seek to negotiate planning agreements to secure local labour agreements for development on 0.5 hectares of land or more, or development that will create more than 15 jobs. A Local Labour Agreement has been submitted with this application, which confirms that the developer and their subcontractors will look to employ local contractors where feasible and viable. They will also look to ensure that where the required skilled workforce is available from the local area, all these companies will be given the opportunity to tender for the completion of the works. All subcontractors will also be encouraged to use local labour where possible. Furthermore, the developer will look to offer onsite work experience placements for workers aged 16 plus. End users of the units will be encouraged and supported to fill a minimum 25% of the total full time jobs created with local residents, and the developer has also made commitments to establish relationships with Central College Nottingham or the New College Nottingham.
- 6.30 Whilst no comments have been received from the Council's Economic Development Team, the Local Labour Agreement, with the exception of a predicted build time of 52 weeks, rather than 48 weeks and the date, this Agreement is identical to that submitted and approved under 2022/0798. This agreement is therefore considered to be acceptable and in accordance with LPD 48.
- 6.31 For the avoidance of doubt, there are no heritage assets in the locality that would be affected by the application.

7.0 Conclusion

- 7.1 The application site is within an established industrial estate and will enhance employment use on offer. The built form would respect the character of the area and amenity of adjacent users. Highway safety would be respected and parking provision is considered to be acceptable. Subject to conditions the development would be acceptable in respect of flood risk and contamination. The application is, therefore, deemed to comply with policies 1, 4 and 10 of the Aligned Core Strategy; policies LPD 3, LPD 4, LPD 7, LPD 11, LPD 32, LPD 44, LPD 48,

LPD 57 and LPD 61 of the Local Planning Document and guidance within the NPPF.

Recommendation: GRANT PLANNING PERMISSION: 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 permitted shall be completed in accordance with the following drawings:
 - Unit 19 Site Access Junction Visibility - J32-5783-PS-103 - Revision B;
 - Internal Vehicle Tracking 16.5M Max Legal - J32-5783-PS-113;
 - Road No.1 Site Access Junction Visibility - J32-5783-PS-101 - Revision B;
 - Planning Layout - North - 853.19.08 Revision A;
 - Planting Layout - South - 853.29.09 Revision A;
 - Proposed Site Plan - 21068-302 P-05;
 - Unit 19 - Proposed Elevations - 21068-0721 P-03;
 - Units 1-6 - Proposed Elevations - 21068-0321 P-03;
 - Units 7-11 - Proposed Elevations - 21068-0421 P-03;
 - Units 12-15 - Proposed Elevations - 21068-0521 P-03;
 - Units 16-18 - Proposed Elevations - 21068-0621 P-03;
 - Units 1-6 - Proposed Floor Plans - 21068-0310 P-03;
 - Proposed Cycle Storage - 21068-305 P-01;
 - Unit 19 - Proposed Roof Plan - 21068-0711 P-03;
 - Units 16-18 - Proposed Roof Plan - 21068-0611 P-03;
 - Unit 19 - Proposed Sections - 21068-0731 P-03;
 - Location Plan - 21068-0300 P-01;
 - Units 7-11 - Proposed Floor Plans - 21068-0410 P-03;
 - Units 12-15 - Proposed Floor Plans - 21068-0510 P-03;
 - Units 16-18 - Proposed Floor Plans - 21068-0610 P-03;
 - Unit 19 - Proposed Floor Plan - 21068-0710 P-03;
 - Units 1-6 - Proposed Roof Plan - 21068-0311 P-03;
 - Units 7-11 - Proposed Roof Plan - 21068-0411 P-03;
 - Units 12-15 - Proposed Roof Plan - 21068-0511 P-03;
 - Units 1-6 - Proposed GA Sections - 21068-0331 P-03;
 - Units 7-11 - Proposed GA Sections - 21068-0431 P-03;
 - Units 12-15 - Proposed Sections - 21068-0531 P-03;
 - Units 16-18 - Proposed Sections - 21068-0631 P-03; and
 - Proposed Site Sections - 21068-900 P-00.
- 3 The proposed industrial units shall not be brought into use until the parking/turning/servicing areas as shown on drawing 21068-302 P05 have been provided. The parking/turning/servicing areas shall be maintained in accordance with the approved details and shall not be used for any purpose other than the parking/turning/loading and unloading of vehicles.

- 4 The proposed industrial units shall not be brought into use until the vehicular access points as shown on drawing 21068-302 P05 have been provided to the satisfaction of the Highway Authority.
- 5 The proposed industrial units shall not be brought into use until the redundant vehicular crossing serving the site on Road No.1 has been permanently closed and reinstated to verge/footway to the satisfaction of the Highway Authority.
- 6 The proposed industrial units shall not be brought into use until the site access arrangements have been constructed with provision to prevent the discharge of surface water from the access points to the public highway. The provision to prevent the discharge of surface water from the access points shall be retained for the lifetime of the development.
- 7 The proposed industrial units shall not be brought into use until bus-stop GEO336 as shown on drawing 21068-602 P05 has been provided.
- 8 The development shall be carried out in accordance with the submitted flood risk assessment (ref 21-034-CHA Road No.3, Colwick, dated 21st December 2023) and the following mitigation measures it details:
 - Finished floor levels shall be set no lower than 20.95 metres above Ordnance Datum (AOD)
 - The proposed units shall be made to be floodable
 - There shall be a safe refuge on site and a safe access route (as per drawing document SK010-Proposed Safe Refuge Routes)

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

- 9 Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.
- 10 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.
- 11 Piling or any other foundation designs using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

- 12 No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.
- 13 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 a minimum of twenty three (23) Electric Vehicle Recharging Points (active); with infrastructure installed for Units 1-17 to benefit each from an extra point in future years (passive). The Electric Vehicle Recharging Points shall be in a prominent position on the site and shall be for the exclusive use of zero emission vehicles. The Electric Vehicle Recharging Points 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 car park users.
- 14 The development hereby permitted shall be undertaken in strict accordance with the protection measures set out in the submitted Arboricultural Implications Report dated January 2024.
- 15 No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy 21-034- CHA Road No.3, Colwick, 21st December 2023, I and L Consulting Ltd., has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:- Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753 and NPPF Paragraph 169.- Limit the discharge generated by all rainfall events up to the 100 year plus 40% (climate change) critical rain storm to QBar rates for the developable area.- Provide detailed design (plans, network details, calculations and supporting summary documentation) in support of any surface water drainage scheme, including details on any attenuation system, the outfall arrangements and any private drainage assets. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change return periods.- No surcharge shown in a 1 in 1 year.- No flooding shown in a 1 in 30 year.- For all exceedance to be contained within the site boundary without flooding properties in a 100 year plus 40% storm.- Evidence to demonstrate the viability (e.g Condition, Capacity and positive onward connection) of any receiving watercourse to accept and convey all surface water from the site.- Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.- Evidence of approval for drainage infrastructure crossing third party land where applicable.- Provide a surface water management plan demonstrating how surface water flows will be managed during construction to ensure no increase in flood risk off site.- Evidence of how the on-site

surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term effectiveness.

- 16 The development shall be carried out in accordance with the Local Labour Agreement dated January 2024; received by the Local Planning Authority on 9 February 2024.
- 17 The landscaping scheme as approved (including the trees to be planted on the public highway) shall be carried out in the first planting season following completion of the development. Any trees, shrubs or plants that die within a period of five years from the completion of each development phase, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species.
- 18 The development hereby approved shall be carried out using materials as set out in the submitted materials schedule.

Reasons

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt.
- 3 In the interest of highway safety in accordance with Policy LPD 61 of the Gedling Local Planning Document 2018.
- 4 In the interest of highway safety in accordance with Policy LPD 61 of the Gedling Local Planning Document 2018.
- 5 In the interest of highway safety in accordance with Policy LPD 61 of the Gedling Local Planning Document 2018.
- 6 In the interest of highway safety in accordance with Policy LPD 61 of the Gedling Local Planning Document 2018.
- 7 To promote sustainable travel.
- 8 To reduce the risk of flooding to the proposed development and future occupants.
- 9 To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 180 of the NPPF.
- 10 To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 180 of the NPPF.

- 11 Piling can result in risks to water resources from, for example, mobilising contamination, drilling through different aquifers, and creating preferential pathways. Thus it should be demonstrated that any of these activities will not harm water resources in line with paragraph 180 of the NPPF. If Piling is proposed, a Piling Risk Assessment must be submitted, written in accordance with EA guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73".
- 12 To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 180 of the NPPF.
- 13 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Council's Local Plan.
- 14 To ensure that there is no unacceptable adverse impact on trees as a result of the development hereby permitted.
- 15 A detailed surface water management plan is required to ensure that the development is in accordance with NPPF and local planning policies. It should be ensured that all major developments have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.
- 16 To enable local people to benefit from the development in accordance with LPD 48 of the Gedling Part 2 Local Plan (2018).
- 17 To ensure that the character of the area is respected and to comply with policies LPD18 and LPD19.
- 18 In the interests of visual amenity and in accordance with Policy 10 of the Aligned Core Strategy and Policy 43 of the Gedling Local Planning Document 2018.

Reasons for Decision

The application site is within an established industrial estate and will enhance employment use on offer. The built form would respect the character of the area and amenity of adjacent users. Highway safety would be respected and parking provision is considered to be acceptable. Subject to conditions the development would be acceptable in respect of flood risk and contamination. The application is, therefore, deemed to comply with policies 1, 4 and 10 of the Aligned Core Strategy; policies LPD 3, LPD 4, LPD 7, LPD 11, LPD 32, LPD 44, LPD 48, LPD 57 and LPD 61 of the Local Planning Document and guidance within the NPPF.

Notes to Applicant

The development makes it necessary to construct/reinstate a vehicular crossing over a verge/footway of the public highway and provide public transport infrastructure. These works will take place on land that is subject to the provisions of the Highways Act 1980 (as amended) and is therefore land over which you have no control. Please contact licences@viaem.co.uk to ensure the necessary licences are in place and that payment has been made to compensate for the loss of the Highway Trees prior to works commencing.

We recommend that consideration is given to the issues below. Where necessary, the advice of relevant experts should be sought.

Adequacy of rescue or evacuation arrangements

Details and adequacy of an emergency plan.

Provision of and adequacy of a temporary refuge.

Details and adequacy of flood proofing and other building level resistance and resilience measures. We strongly recommend that the LPA ensures that the resilience measures proposed are adequate in protecting the units to at least 300mm above the breach height of 22.28mAOD.

Details and calculations relating to the structural stability of buildings during a flood
Whether insurance can be gained or not

Provision of an adequate means of surface water disposal such that flood risk on and off-site isn't increased

In making our response, we have considered the risks posed to controlled waters.

The Local Authority's Environmental Health Officer must be contacted with regards to other risks, such as those posed to human health. This is particularly relevant given that the risk assessment reports were written with different planning proposals in mind.

The developer is encouraged to consider upgrading the EV charging facilities to incorporate mode 3 charging capability as this will help future proof the development and improve its sustainability. A suitable electrical socket can be provided to allow 'Mode 3' charging of an electric vehicle, allowing Smart charging of electric vehicles. All electrical circuits/installations shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation (2015).

The applicant 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

The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework. During the processing of the application regular discussions took place with the applicant to address any issues that occurred.