

Report to Planning Committee

Application Number: 2024/0381

Appeal Ref: APP/N3020/W/24/3354066

Site Address: Ernehale Lodge Nursing Home, 82A Furlong Street, Arnold, Nottinghamshire, NG5 7BP

Application description: Change of Use from Nursing Home to 19 No. Dwellings with rear, side and roof extensions and facade alterations

Case Officer: Claire Turton

Planning Committee refused planning permission on the 27th September 2024 for the reasons outlined below:

1. There are currently high levels of on-street car parking close to the application site and the proposal does not provide adequate off-street car parking to serve the development. As such, it is considered that the development will cause unacceptable issues of on-street car parking in the surrounding area, to the detriment of highway safety. As such, the proposal is contrary to Policies 57 and 61 of the adopted Local Planning Document (2018).

The Inspector noted that the Council's Parking SPD is an important material consideration, but it is ultimately guidance. Indeed, Paragraph 4.11 recognises that, in certain circumstances, a departure from the requirements may be appropriate. Moreover, the site is located in a highly sustainable location within walking distance of the centre of Arnold along High Street and surrounding streets where a wide range of shops, facilities and public transport options exist. Such a location would accord strongly with the aims of the Framework to focus significant development on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. The provision of secure cycle parking would add to the choice for residents in this respect. The Inspector appreciated the strong concerns raised about current parking pressure in the area. However, it is not required of an applicant for planning permission to resolve existing problems, but to ensure the impact of the proposed development is addressed and does not contribute to a worsening of the situation.

The appeal was, therefore, allowed.

The appellant also filed a claim for a full award of costs against the Council. The claim, in short, is that members of the Council's planning committee ignored the evidence before it, including technical highways evidence submitted in support of the application; consultee responses raising no objection; and the planning officer's report recommending approval.

The Inspector concluded that no substantive evidence has been adduced by the Council to demonstrate the level of parking demand would exceed the spaces

proposed, or that if it did, any excess demand would push parking pressure on the street past a saturation level so as to cause harm.

The application for a full award of costs was, therefore, allowed

Recommendation: To note the information.