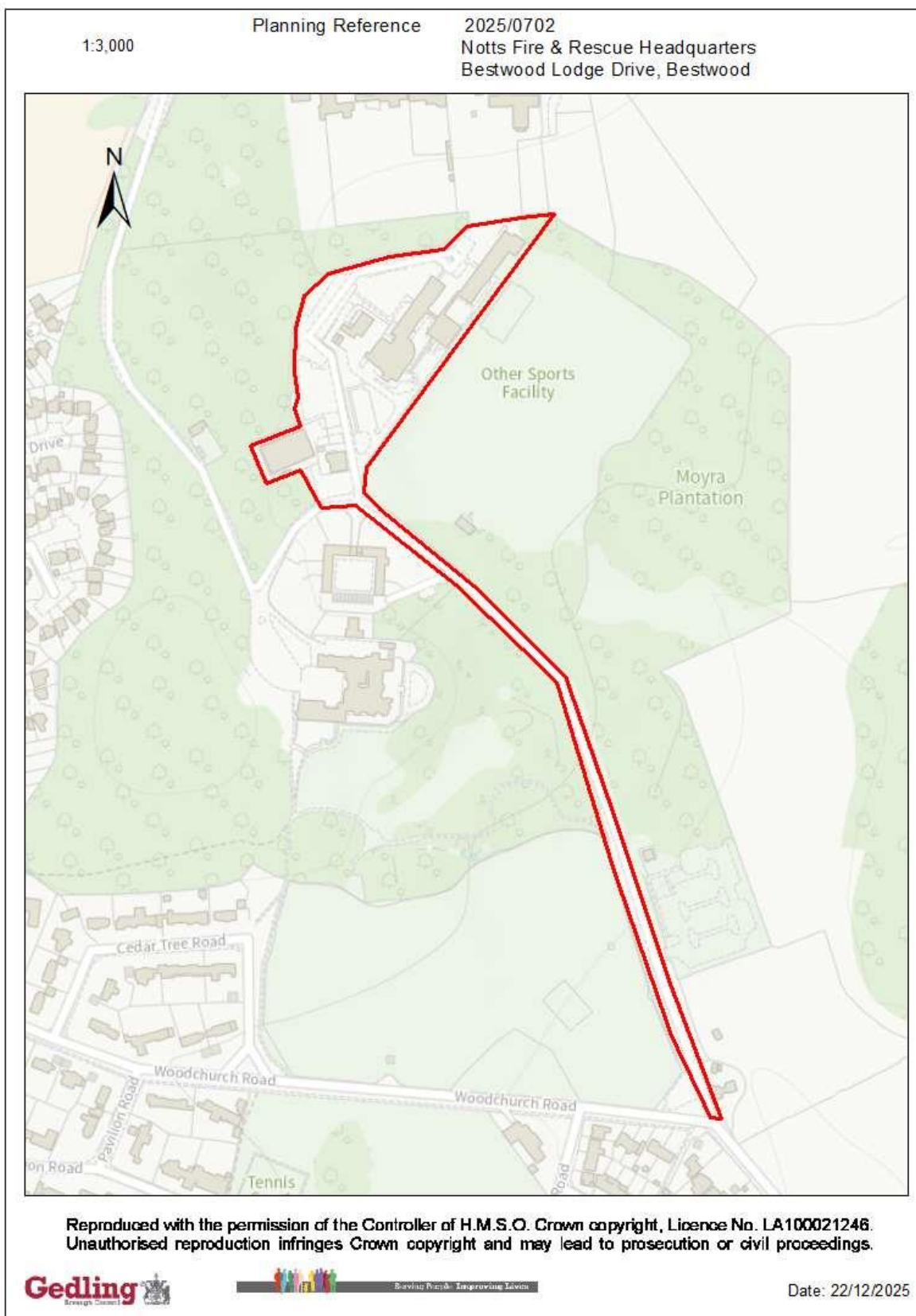




Planning Report for 2025/0702



Report to Planning Committee

Application Number: 2025/0702

Location: Nottinghamshire Fire And Rescue Headquarters,
Bestwood Lodge Drive, Bestwood.

Proposal: Demolish existing buildings and develop a new private residential therapy and treatment centre, together with associated infrastructure and landscaping. (Variation of Conditions 21, 22 and 26 of planning permission 2024/0708 to enable alterations to ground levels under trees T32, T33 and T34 to facilitate the required gradient for the access drive and to remove tree T73 and Hedgerow H18 to allow the building of a previously approved wall.)

Applicant: Delamere Health Prop Co 1 Ltd

Agent: Anderson Orr Architects Ltd

Case Officer: Claire Turton

The application is referred to Planning Committee because part of the site defined by the red line on the site location plan (the access road) is within the ownership of Gedling Borough Council.

1.0 Site Description

- 1.1 The site is currently vacant but was previously occupied by the Nottinghamshire Fire and Rescue Service as their regional headquarters, until 2022. There are a number of two and three storey buildings which occupy the site and other smaller ancillary buildings and hard surfacing. The site has an area of approximately 2.05 hectares.
- 1.2 To the west of the site is the Bestwood Country Park, parts of which are defined in the Gedling Local Plan as Protected Open Space and a Local Wildlife Site. To the north of the site are large, residential properties in large plots of land. To the south of the site lies the Bestwood former stable block, which is now converted into residential properties and Bestwood Lodge Hotel. The land to the south-east of the site is also within control of the applicant but does not form part of the application site. This is an area of private open space that was previously used as sports pitch by the Fire HQ but is currently not marked out.
- 1.3 The site itself comprises a plateau which sits at a higher level to the former playing fields that lie to the south-east.

- 1.4 There are a number of designated and non-designated heritage assets in the vicinity of the site including;-

Bestwood Lodge Hotel and Terrace Wall, Grade II*
Bakery North of Bestwood Lodge Hotel, Grade II
Stable Court, Grade II
Garden Walls and Gateway at Bestwood Lodge Hotel, Grade II
The Old Lodge, Grade II
Non-Designated Heritage Asset (NDHA) of the historic gardens to Bestwood Lodge, landscaped by Teulon and Thomas Church
NDHA Medieval hunting Park of Bestwood Park

- 1.5 The site is accessed from Bestwood Lodge Drive which connects to Queens Bower Road over a distance of approximately 1.5km. The section of Bestwood Lodge Drive between the application site and Woodchurch Road is privately maintained. The private section of Bestwood Lodge Drive varies in width between 5.5m and 7.5m and features a number of speed humps. The private access road currently provides access to the Fire and Rescue HQ, Bestwood Lodge Hotel, Bestwood Country Park and several other residential properties.
- 1.6 The site is located within the Green Belt and Flood Zone 1 (Low Risk of fluvial Flooding).
- 1.7 There are a large number of mature trees screening the western, northern and eastern boundaries. Trees to the north and west of the site are protected by a Woodland Tree Preservation Order (TPO). These includes trees T32, T33 and T34 which form the basis of part of this current application.

2.0 Proposed Development

- 2.1 Planning permission is sought to;-

“Demolish existing buildings and develop a new private residential therapy and treatment centre, together with associated infrastructure and landscaping. (Variation of Conditions 21, 22 and 26 of planning permission 2024/0708 to enable alterations to ground levels under trees T32, T33 and T34 to facilitate the required gradient for the access drive and to remove tree T73 and Hedgerow H18 to allow the building of a previously approved wall.)”

- 2.2 Planning permission 2024/0708 was granted in July 2025 for;-

“Full planning application to demolish existing buildings and develop a new private residential therapy and treatment centre, together with associated infrastructure and landscaping.”

- 2.3 The applicant is now proposing amendments to planning permission 2024/0708. There are two proposed physical amendments which are;-

1) Alterations to ground levels under trees T32, T33 and T34 to facilitate the required gradient for the access drive for emergency vehicles. This consists

of raising ground levels under these trees by between 0.78 metres and 2.166 metres.

2) Removing tree T73 and Hedgerow H18 to allow the building of a previously approved wall.

2.4 In order to facilitate the above amendments, a number of conditions attached to the original planning permission would require amending.

2.5 Condition 21 on the original planning permission states that;-

“All retained trees, and hedges must be protected in accordance with the submitted tree survey and implemented before and during construction phases.

Reason: In the interests of visual amenity and biodiversity”

This is proposed to be varied to;-

“All retained trees, and hedges must be protected in accordance with the submitted tree survey reference RSE_8329_R1_V5_ARB (received by the Local Planning Authority 08.12.2025) and the approved protection shall be implemented prior to construction commencing and retained for its duration.”

2.6 Condition 22 on the original planning permission states that;-

“If the tree protection fencing layout is altered from what is shown within the Tree Protection Plan - site location plan Tree Protection Plan RSE_8329_TPP then the Council's Arboricultural Officer must be notified and must agree in writing to any such alterations prior to any works being carried out within the root protection area of retained trees. Development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and biodiversity.”

This is proposed to be varied to;-

“The Council's Arboricultural Officer must agree in writing to any alterations to the tree protection fencing layout shown within the Tree Protection Plan - Protection Plan RSE_8329_TPP Rev 6 (received by the Local Planning Authority 08.12.2025) prior to any works being carried out within the root protection area of retained trees. Development shall thereafter be carried out in accordance with the approved details.”

2.7 Condition 26 on the original planning permission states that;-

“There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees.

Reason: In the interests of visual amenity and biodiversity.”

This is proposed to be varied to;-

“There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees, with the exception of trees T32, T33 and T34 (as shown on Tree Protection Plan - Protection Plan RSE_8329_TPP Rev 6 (received by the Local Planning Authority 08.12.2025))

The levels of trees T32, T33 and T34 can be altered as per plans entitled “Vehicle Swept Path – Fre Appliance (shown in Appendix B of the submitted Transport Statement), Plan 601186-HEX-XX-XX-D-C-9150 P01 “Earthworks Analysis and Plan 601186-HEX-XX-XX-D-C-9100 POL “Proposed Levels Layout”.

Trees T32, T33 and T34 shall be subject to annual inspections for a period of 5 years from the commencement of works. Each inspection shall be carried out by a suitably qualified arboricultural professional holding a Professional Tree Inspection (PTI) certificate, and a written report shall be submitted to the Local Planning Authority (LPA) following each inspection. If any of the trees die, become severely damaged, or require removal during this period, replacement tree planting shall be undertaken in accordance with a scheme to be submitted to and approved in writing by the LPA.”

3.0 Relevant Planning History

- 3.1 As detailed in Section 2 of this report, planning permission 2024/0708 was granted in July 2025 for;-

“Full planning application to demolish existing buildings and develop a new private residential therapy and treatment centre, together with associated infrastructure and landscaping.”

- 3.2 2025/0581DOC - Discharge of conditions for planning application 2024/0708 This application discharged the following conditions;-

Condition 3: External facing materials

Condition 5: Hard landscape works

Condition 6: Surface water drainage scheme

Condition 15: Development (other than demolition) subject to Site Investigation & Contamination

Condition 17: Badger Survey

Condition 18: Wildlife friendly lighting scheme.

Condition 20: Construction Ecological Management Plan Enhancement and mitigation

Condition 25: Landscape design & features.

Condition 28: Travel Plan

Condition 30: External Ground & Finished Floor Levels

Condition 31: Ecology CEMP

Condition 32: No drainage systems for the infiltration of surface water to the ground are permitted unless precise details have been submitted to and agreed in writing by the Local Planning Authority.

- 3.3 2025/0730 - Discharge of conditions for planning application 2024/0708 This application discharged the following conditions;-

Condition 9 - CEMP (Construction)
Condition 16 - Waste Audit

4.0 Consultations

- 4.1 Parish Council;- No comments received.
- 4.2 Nottinghamshire County Council Highway Officer;- Raise no objection to the proposal and state that ideally the access road should not have a gradient steeper than 1:12 (it is currently 1:2.5). They state that there may be other ways of achieving fire regulations such as installing sprinklers but that advice should be sought from Building Control on this matter.
- 4.3 Gedling Borough Council Building Control;- Verbal advice provided as to whether this fire access was required in this location. They originally asked for further information regarding the fire strategy at the site. Once this was received they reported that the submitted fire strategy justifies the need for the access road under the trees.
- 4.4 Gedling Borough Council Tree Officer;- No objection to amended proposal which aims to retain and monitor trees. As they only intend to fill the area (with no excavation), then it is possible that the trees could be retained.
- 4.5 Gedling Borough Council Ecology Officer;- Originally stated that if plans can be amended or measures taken to avoid the removal of the ecologically valuable mature trees (T32, T33, T34) then this should be done. Raises no objection to the current proposal which now sees the trees retained.
- 4.6 Gedling Borough Council Conservation Officer;- There could be heritage harm from this proposal, through the loss of trees in a sensitive setting, where trees contribute directly to the historic parkland but also to screening between modern and historic buildings. Conservation defers to the Tree Officer to assess impact and potential mitigation.
- 4.7 GBC Scientific Officer;- State they have no comments to make.
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- 4.8 Neighbouring properties were consulted via letter, a site notice was placed at the site and a notice published in the local press. No comments have been received.

5.0 Relevant Planning 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'.
- 5.2 The most relevant national planning policy guidance in the determination of this application is contained within the National Planning Policy Framework (NPPF) (2024) and the National Planning Practice Guidance (NPPG). The NPPF sets

out the national objectives for delivering sustainable development. Sections 2 (Achieving Sustainable Development), 4 (Decision Making), 6 (Building a Strong , Competitive Economy), 8 (Promoting healthy and safe communities), 9 (Promoting sustainable transport), 11 (Making effective use of land), 12 (Achieving well-designed places), 13 (Protecting Green Belt land), 14 (Meeting the challenge of climate change, flooding and coastal change), 15 (Conserving and enhancing the natural environment), 16 (Conserving and enhancing the historic environment) are particularly relevant in this instance.

5.3 The Environment Act (2021) – Biodiversity Net Gain (BNG). In England, BNG is mandatory from 12 February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Developers must deliver a BNG of 10%. This means a development will result in more or better-quality natural habitat than there was before development.

5.4 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 A (Presumption in Favour of Sustainable Development) sets out that a positive approach will be taken when considering development proposals.
- Policy 1 (Climate Change) sets out sustainability criteria for new dwellings.
- Policy 2 (The Spatial Strategy) identifies the settlement hierarchy to accommodate growth and the distribution of new homes.
- Policy 3 (The Green Belt) refers to Green Belt boundaries.
- Policy 4 (Employment Provision and Economic Development) the economy of the area will be strengthened and diversified.
- Policy 10 (Design and Enhancing Local Identity) sets out that “development will be assessed in terms of its ‘massing, scale and proportion; materials, architectural style and detailing and impact on the amenity of nearby residents and occupiers’.”
- Policy 11 (The Historic Environment) Proposals and initiatives will be supported where the historic environment and heritage assets and their settings are conserved and/or enhanced in line with their interest and significance.
- Policy 12 (Local Services and Healthy Lifestyles) New community facilities will be supported where they meet a local need.
- Policy 14 – (Managing Travel Demand). The need to travel, especially by private car, will be reduced by securing new developments of appropriate scale in the most accessible locations. The priority for new development is in firstly selecting sites already accessible by walking, cycling and public transport.
- Policy 16 – (Green Infrastructure, Parks and Open Spaces). Seeks to protect and enhance green infrastructure.

- Policy 17 (Biodiversity) sets out how the biodiversity will be increased over the plan period.
- Policy 18 (Infrastructure) New development must be supported by the required infrastructure at the appropriate stage.

5.5 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:

- Policy LPD 4 (Surface Water Management) all development proposals should, wherever possible, include measures to pro-actively manage surface water including the use of appropriate surface treatments and Sustainable Drainage Systems in order to minimise the risk of flooding on the development site without increasing flood risk elsewhere.
- Policy LPD 7 (Contaminated Land) Planning permission will be granted for development on land potentially affected by land contamination provided effective and sustainable measures are taken to assess, treat, contain or control the contamination.
- Policy LPD 11 (Air Quality) Planning permission will not be granted for development proposals that have the potential to adversely impact on air quality, unless measures to mitigate or offset their emissions and impacts have been incorporated
- Policy LPD 14 (Replacement of Buildings within the Green Belt). Part a) i to iii set out the criteria for when planning permission will be granted for replacement buildings Part b) Where buildings have been substantially extended, replacement buildings will only be granted where the new buildings have the same or reduced floorspace as the buildings replaced. Part c) I to iv sets out the expectations of replacement buildings
- Policy LPD 18 (Protecting and Enhancing Biodiversity) development proposals will be expected to take opportunities to incorporate biodiversity in and around development and contribute to the establishment and maintenance of green infrastructure.
- Policy LPD 19 (Landscape Character and Visual Impact). Where practicable the recommendations of the Greater Nottingham Landscape Character Assessment will be required. The proposal site is in zone S PZ 41 Bestwood Wooded Farmlands.
- Policy LPD 20 – (Protection of Open Space). a) Planning permission will not be granted for development on land that is used, or was last used, as open space as shown on the Policies Map. Exceptions to this policy will be allowed where one of the following conditions is met: [including] the proposed development is ancillary to the use of the site and would not have an adverse impact on how it is used;

- Policy LPD 26 (Heritage Assets). All development proposals that may affect any designated or non-designated heritage asset will be required to provide a heritage impact assessment of the significance of the heritage asset and identify the impact of the proposals on the special character of the asset and / or its setting.
- Policy LPD 27 – (Listed Buildings) Alterations, extensions and development to or within the setting of a Listed Building should consider scale, form, mass, design, siting, detailing and materials.
- Policy LPD 32 (Amenity) requires that development proposals do not have a significant adverse impact on the amenity of nearby residents or occupiers, taking into account potential mitigation measures.”
- Policy LPD 35 (Safe Accessible and Inclusive Development) sets out that the massing, scale and proportion of development should be appropriate to the immediate context, site constraints, character of adjoining streets and spaces and the sites the location within the townscape.
- Policy LPD 39 (Specialist Accommodation) - Parts a), b) and c) set out when planning permission for specialist accommodation will be granted
- Policy LPD 48 – (Local Labour Agreements). The Borough Council will seek to negotiate planning agreements to secure local labour agreements for development of 10 or more dwellings, on 0.5 hectares of land or development that will create more than 15 jobs.
- Policy LPD 57 (Parking Standards) provides that permission for residential development will be granted where the development proposal meets the Council’s requirement for parking provision, or otherwise agreed by the local planning authority.
- Policy LPD 61 (Highway Safety) sets out that permission will be granted for development proposals which do not have a detrimental effect on highway safety, patterns of movement and the access needs of all people.

5.6 Supplementary Planning Documents/Guidance

- Parking Provision for Residential and Non-Residential Development SPD (2022) sets out the parking provision requirements for new developments.
- Low Carbon Planning Guidance for Gedling Borough (2021) sets out sustainability guidance.
- Biodiversity Net Gain Interim Planning Policy Statement January 2024
- Position Statement on Green Belt Policies LPD 13 and LPD 14 of the LPD
- Greater Nottingham Landscape Character Assessment
- Nottinghamshire County Council’s Highway Design Guide

Appraisal

Introduction

- 6.0 The principle of a C2 use in this location, the impact of the proposal on the openness of the Green Belt, the design of the proposal, its impact on heritage assets, residential amenity, highway safety, flood risk and drainage were all assessed as part of the original planning application (2024/07080) and were considered to be acceptable. There have been no significant relevant planning policy changes since the granting of this original planning permission and no significant changes to the site itself or surroundings. As such, the original assessment of these matters has not altered and will not be rehearsed again as part of this current planning application. The committee report for planning application 2024/0708 is attached as appendix 1 to this current committee report for information.
- 6.1 The considerations as part of this current planning application are visual amenity (including heritage) and ecology.

Visual amenity and Ecology

- 7.0 Turning first to addressing the visual amenity and ecology for - Alterations to ground levels under trees T32, T33 and T34 to facilitate the required gradient for the access drive for emergency vehicles. This consists of raising ground levels under these trees by between 0.78 metres and 2.166 metres.
- 7.1 T32 is a Yew Tree and T33 and 34 are both Common Lime trees. The submitted Tree Survey identifies these three trees as Category B trees which are "Trees of Moderate Quality." These trees are also protected by a Tree Preservation Order ('TPO').
- 7.2 The application originally proposed altering the wording of the relevant planning conditions to allow for the removal of these three trees, albeit the applicant did explain that, if possible, they would aim to retain the trees.
- 7.3 The Council's Tree Officer and Ecology Officer inspected the trees and both stated that it would be their preference for them to remain in situ due to their visual amenity and potential ecology value. Whilst the Council's Ecology Officer did not find specific evidence of roosting bats in these trees she did advise that, due to their age, size and features, the trees had the potential for bats to roost there. The Council's Conservation Officer also stated that these trees contribute directly to the historic parkland but also to screening between modern and historic buildings. However, the Conservation Officer defers to the Tree Officer to assess impact and potential mitigation.
- 7.4 As such, it was explored whether the proposed emergency fire access was absolutely necessary to serve this development, whether the proposed access was required in this location and whether the ground levels required altering to achieve a shallower gradient to facilitate this. Following further assessment, it is considered necessary for the above fire access, in this location and at this gradient.
- 7.5 With regards to the proposed gradient of the access road, ground levels underneath these three trees are required to be raised in order to achieve the required driveway and turning area gradient for an emergency fire vehicle to access the site safely. The Highway Authority has commented that the access

road should not have a gradient steeper than 1:12 (it is currently 1:2.5 in some places). However, they state that there may be other ways of achieving fire regulations such as installing sprinklers but that advice should be sought from Building Control on this matter.

- 7.6 As such, the Council's Building Control team then assessed the proposal in terms of whether an emergency fire vehicle access is necessary in this location at all. They originally asked for further information regarding the fire strategy at the site. Once this was received they commented that the submitted fire strategy justifies the need for the fire access under the trees in order to achieve current fire safety standards for the proposed building.
- 7.7 For the reasons stated above, it is considered that an access capable of accommodating an emergency fire vehicle in the proposed location and at the proposed gradient is necessary to achieve current fire safety standards.
- 7.8 Next, it was assessed as to whether these three trees really did need to be removed to facilitate this required access. The Tree Officer has explained that most of the proposed level change under these trees is in an area where there is already existing built-development such as a retaining wall and an existing building close by. Structures such as retaining walls and buildings have likely prevented significant tree rooting in the area. The proposal is only for ground filling within the Root Protection Area and not the excavation of ground where tree roots could be exposed and severed. For these reasons, there is a good chance that the existing trees could indeed survive the proposed ground filling.
- 7.9 Negotiations took place with the applicant and it was agreed to amend the proposal from varying the relevant planning conditions to allow these trees to be removed to allowing the required raising of ground levels underneath these trees and requiring the applicant to be responsible for annual inspections of the trees to monitor their health following the filling of land here. Such inspections would be for a period of 5 years from the commencement of works within the Root Protection Areas by a suitably qualified arboricultural professional holding a Professional Tree Inspection (PTI) certificate, and a written report shall be submitted to the Local Planning Authority (LPA) following each inspection. If any of the trees die, become severely damaged, or require removal during this period, replacement tree planting shall be undertaken in accordance with a scheme to be submitted to and approved in writing by the LPA. After the 5 years covered by this planning permission (should planning permission be approved) then these trees are protected by a TPO in any case and, therefore, consent would be required for their removal and replacement tree planting would also be required.
- 7.10 It is considered that the above approach is a balanced approach to try to retain the trees, mandate for any replacement trees should the trees be lost and balance this against the need for an emergency access in this location and the overall benefits of the development as a whole for a residential therapy and treatment centre.
- 7.11 Turning now to addressing the visual amenity and ecology for - Removing tree T73 and Hedgerow H18 to allow the building of a previously approved wall. T73 is a Whitebeam and H18 is a Portugal Laurel. Both are identified as Category

C trees in the submitted Tree Report which are Trees of Low Quality and are not large or mature features. The applicant has stated that this tree and hedgerow should have been identified to be removed on the original planning application to make way for a proposed wall.

- 7.12 The Council's Tree Officer agrees with the submitted Tree Survey that this tree and hedgerow are of low quality and do not provide a high level of visual amenity to the area. A landscaping scheme has been conditioned as part of the original planning application and shows a suitable level of replacement tree planting. This condition should be carried over to this planning should planning permission be granted for this current proposal.
- 7.13 The Council's Ecology Officer has raised no objections to the removal of T73 and H18. A number of conditions to protect and enhance the ecological value of the site were attached to the original planning permission and should be carried over to this revised application, should planning permission be granted. These include recommendations within the EcIA being adhered to, a Construction Emissions Management Plan (CEMP), a badger survey, wildlife friendly lighting both during and post-development, avoiding site clearance outside of bird-nesting season or site to be checked for nesting birds immediately prior to clearance and an ecological enhancement plan to include the installation of bat and bird boxes as well as conditions securing a 10 percent Biodiversity Net Gain.
- 7.14 For the reasons stated above, it is considered that the proposed works, subject to conditions, will not have an unacceptable harmful impact on the visual amenity (including heritage) of the area or on ecology. As such, the proposal is considered to be in accordance with the NPPF Parts 12, 15 and 16 and Policies ACS10, 11, 16 and 17 and LPD18, 19, 26 and 27.

Conditions and Section 106 Legal Agreement

- 8.1 All relevant conditions attached to the previous planning permission at the site shall be carried, should planning permission for this amended application be granted. A full list of suggested conditions is set out in Section 10 of this report.
- 8.2 There is a clause in the Section 106 Legal Agreement for the original application at the site that ensures that the original Legal Agreement is carried forward to any varied planning permission under Section 73 of the Town and Country Planning Act (a "variation of condition application"). This Legal Agreement ensures a £7,500 travel plan monitoring fee and a local labour agreement.

9.0 Conclusion

- 9.1 The proposed variations to the original planning application will not have an unacceptable harmful impact on the visual amenity (including heritage) of the area or on ecology. As such, the proposed variations are considered to be in accordance with the NPPF Parts 12, 15 and 16 and Policies ACS10, 11, 16 and 17 and LPD18, 19, 26 and 27.

- 9.2 The proposed development as a whole is consistent with local and national planning policies. The proposal constitutes the redevelopment of Previously Developed Land in the Green Belt and does not cause substantial harm to the openness of the Green Belt. The design, layout and scale of the proposal is acceptable and does not have an unacceptable impact on nearby heritage assets. The proposed development would not have a harmful impact on neighbouring amenity. The proposal will not impact on highway safety, flood risk or biodiversity in the area. The proposal achieves a Biodiversity Net Gain. It is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Parts 2, 4, 6, 8, 9, 11, 12, 13, 14, 15, 16), Policies A, 1, 2, 3, 4, 10, 11, 12, 14, 16, 17, 18 of the ACS, Policies LPD 4, 7, 11, 14, 18, 19, 20, 26, 27, 32, 35, 39, 48, 57 and 61 of the LPD, Gedling Borough Council's, Parking Provision SPD, Biodiversity Net Gain Interim Planning Policy Statement and Low Carbon Planning Guidance for Gedling Borough and Design Code Framework.

10.0 Recommendation: GRANT PLANNING PERMISSION subject to the following conditions;-

- 1 The development must be begun not later than 2nd July 2028.
- 2 The development hereby permitted shall be completed in accordance with the submitted documents;-

Existing Plans, received 18th November 2024
Proposed Elevation Plans, 23rd October 2024
Proposed Floor Plans, received 3rd October 2024
Proposed Site Plan, received 3rd October 2024
Site Location Plan, received 3rd October 2024
Application Form, received 3rd October 2024
Drawing no. PBLs-BSP-ZZ-ZZ-DR-D-0001 Rev P02, received 23rd January 2025
- 3 The development shall be undertaken in the materials identified on the submitted Elevation Plans and Material Details received by the Local Planning Authority on 25th July 2025 as part of discharge of condition application 2025/0581DOC.
- 4 The development shall not be occupied until a detailed scheme for the boundary treatment of the site, including position, design and materials, and to include all boundaries, cycle storage area and bin storage area, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed before the development is first brought into use.
- 5 The hard landscaping works shall be carried out in accordance with the submitted External Works Layout Plan and Hard Landscaping Plan, 480-L-D-111 Rev P01 received by the Local Planning Authority on 25th July 2025 as part of discharge of condition application 2025/0581DOC.

- 6 Prior to completion of development the surface water drainage scheme approved as part of discharge of condition application reference number 2025/0581DOC shall be implemented in full. The approved documents are;-

601186-HEX-XX-XX-D-C-9201 P01 Exceedance Plan, received 29th October 2025

601186-HEX-XX-XX-D-C-9210 P02 Drainage Details Sheet 1, received 2nd October 2025

601186-HEX-00-XX-T-C-9210 V01 Surface Water Maintenance and Management Plan, received 2nd October 2025

601186-HEX-XX-XX-D-C-9200 P02 Surface Water Drainage Layout, received 2nd October 2025

601186-HEX-XX-XX-D-C-9210 P02 Drainage Details Sheet 1, received 2nd October 2025

Surface Water Flow V01, received 2nd October 2025

- 7 From the date of first occupation the development shall be provided with access to electric vehicle (EV) charge point(s) in line with Part S of the Building Regulations. A minimum of three (3) active chargepoints and, cable routes installed to at least one-fifth of the remaining number of parking spaces. 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 site users.

- 8 No part of the development hereby permitted shall be brought into use until the cycle parking store as indicated on the submitted site plan, has been provided and that area shall not thereafter be used for any purpose other than the parking of cycles.

- 9 Development shall be undertaken in accordance with the Construction Emission Management Plan received 30th September, approved as part of discharge of condition application reference number 2025/0730.

- 10 Development may not be begun unless:

- (a) a biodiversity gain plan has been submitted to the planning authority; and
- (b) The planning authority has approved the plan.

Development shall thereafter be carried out in accordance with the approved biodiversity gain plan, in accordance with the timings agreed by the biodiversity gain plan.

- 11 The Biodiversity Gain Plan shall be prepared in accordance with the Ecological Impact Assessment, received 3rd October 2024 and the Statutory Metric Calculation Tool received by the Local Planning Authority 3rd October 2024.

- 12 The development shall not commence until a Habitat Management and Monitoring Plan in respect of any on-site biodiversity gain (the Onsite HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

- (a) a non-technical summary;

(b) the roles and responsibilities of the people or organisation(s) delivering the Onsite HMMP;

(c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;

(d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and

(e) the monitoring methodology and frequency in respect of the created or enhanced habitat,

has been submitted to, and approved in writing by, the Local Planning Authority.

- 13 Notice in writing shall be given to the Council when the Onsite HMMP works have started.
- 14 Monitoring reports shall be submitted to and approved in writing by local planning authority in accordance with the methodology and frequency specified in the approved Onsite HMMP.
- 15 Development shall be undertaken in accordance with the approved ground Investigation Report "Hexa Consulting, Bestwood Lodge Drive, Ground Investigation Report, ref. 601186-HEX-XX-XX-RP-GE-000 Rev P03", received by the LPA 24th September 2025 and approved as part of discharge of condition application reference number 2025/0581DOC.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site.

An assessment must be undertaken in accordance with the requirements above, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.

- 16 Development shall be undertaken in accordance with the waste information, approved as part of discharge of condition application reference number 2025/0730. The approved documents are;-

CC86 – Healthcare Waste Policy and Procedure, received 30th September 2025

Site Waste Management Plan for Delamere – Bestwood Lodge, received 30th September 2025

Waste Management Summary, received 30th September 2025

Waste Management Strategy 23058-PP 0090-, received 30th September 2025

- 17 Development shall be undertaken in accordance with the approved badger survey information, approved as part of discharge of condition application reference number 2025/0581DOC. The approved documents are;-

Pre-commencement badger survey
External Lighting Statement and Construction Ecological Management Plan
Confirmation of badger licence, received by the LPA 26th September 2026
Badger Plan, received by the LPA 25th September 2026

- 18 Development shall be undertaken in accordance with the approved wildlife friendly lighting information, approved as part of discharge of condition application reference number 2025/0581DOC. The approved documents are;-

Delamere Health - External Lighting Statement (P02) as updated by applicant's email of 2nd September 2025 stating *"As discussed the standard method of installing columns is to put a sleeve into the ground that is 400mm diameter (dependant on size of column) to the depth of the column root and add a concrete base within the sleeve. The column is then placed into the sleeve and packed into position with sand. I have attached a generic column installation instruction, we do always recommend consulting a structural engineers to confirm details of installation because of the ground conditions on site"*

- 19 If protected species are encountered during development then works should halt, the scheme ecologist should be consulted and the Local Planning Authority informed. Works should not re-commence until any required mitigation measures to ensure no adverse impact to that species have been submitted to the Local Planning Authority and approved in writing. Development shall then re-commence in accordance with the approved details.

- 20 Development shall be undertaken in accordance with the submitted Ecology Mitigation, submitted as part of discharge of condition application reference number 2025/0581DOC. The documents are;-

RSE_8328_Enhancement Plan_V1R2_Optimized
RSE_8328_R1_V1_CEMP

- 21 All retained trees, and hedges must be protected in accordance with the submitted tree survey reference RSE_8329_R1_V5_ARB (received by the Local Planning Authority 08.12.2025) and the approved protection shall be implemented prior to construction commencing and retained for its duration

- 22 The Council's Arboricultural Officer must agree in writing to any alterations to the tree protection fencing layout shown within the Tree Protection Plan - Protection Plan RSE_8329_TPP Rev 6 (received by the Local Planning Authority 08.12.2025) prior to any works being carried out within the root protection area of retained trees. Development shall thereafter be carried out in accordance with the approved details.

- 23 No development shall take place until a date for the Council's Arboricultural Officer to inspect the installed tree protection fencing in accordance with tree survey as part of the pre-development preparations has been agreed in writing by the Local Planning Authority.

24 Any structures built on the site should comply with current building regulations and NHBC Chapter 4.2 - Building near Trees (2022) 6. Foundation depths for buildings near or adjacent to trees should consider the potential size of the trees at maturity and their subsequent water demand. The soil types throughout the site should be fully investigated and appropriate measures taken. If trees are removed across the site, the potential for soil heave should be assessed and foundations designed accordingly.

25 Development shall be undertaken in accordance with the approved soft landscaping information, approved as part of discharge of condition application reference number 2025/0581DOC. The approved documents are;-

Updated landscape proposals, received 2nd September 2025 including Delamere Maintenance Manual Rev A, 2025 05 07 Planting Schedule, 480-P-300 P03 Delamere Planting Plan A1.

Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details.

26 There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees, with the exception of trees T32, T33 and T34 (as shown on Tree Protection Plan - Protection Plan RSE_8329_TPP Rev 6 (received by the Local Planning Authority 08.12.2025))

The levels of trees T32, T33 and T34 can be altered as per plans entitled "Vehicle Swept Path – Fire Appliance (shown in Appendix B of the submitted Transport Statement), Plan 601186-HEX-XX-XX-D-C-9150 P01 "Earthworks Analysis and Plan 601186-HEX-XX-XX-D-C-9100 POL "Proposed Levels Layout".

Trees T32, T33 and T34 shall be subject to annual inspections for a period of 5 years from the commencement of works. Each inspection shall be carried out by a suitably qualified arboricultural professional holding a Professional Tree Inspection (PTI) certificate, and a written report shall be submitted to the Local Planning Authority (LPA) following each inspection. If any of the trees die, become severely damaged, or require removal during this period, replacement tree planting shall be undertaken in accordance with a scheme to be submitted to and approved in writing by the LPA."

27 Development shall not commence (other than demolition and remediation) until precise details of the following have been submitted to and approved in writing by the Local Planning Authority:

Samples and details of the finish of all lighting
Parking delineation
Details of the cycle store
Details of the external pavilion
Location and details of any plant required

Development shall thereafter be carried out in accordance with the approved details.

- 28 Development shall be undertaken in accordance with the approved Travel Plan, approved as part of discharge of condition application reference number 2025/0581DOC. The approved documents are;-

PBLS-BSP-ZZ-XX-RP-D-0001-TP2_Travel_Plan, received by the LPA 19th August 2025

- 29 The proposed development hereby permitted shall not be brought into use until the highway works as shown on drawing number PBLS-BSP-ZZ-ZZ-DR-D-0001 Rev P02, received by the Local Planning Authority, 23rd January 2025, have been completed.

- 30 Development shall be undertaken in accordance with the approved Site Levels Plan, received 25th July 2025, approved as part of discharge of condition application reference number 2025/0581DOC.

- 31 Development shall be undertaken in accordance with the approved Construction Ecological Management Plan details approved as part of discharge of condition application reference number 2025/0581DOC. The approved documents are;-

RSE_8328_Enhancement Plan_V1R2_Optimized
RSE_8328_R1_V1_CEMP

- 32 Development shall be undertaken in accordance with the approved drainage systems for the infiltration of surface water to the ground as approved as part of discharge of condition application reference number 2025/0581DOC. The approved documents are;-

601186-HEX-XX-XX-D-C-9201 P01 Exceedance Plan, received 29th October 2025

601186-HEX-XX-XX-D-C-9210 P02 Drainage Details Sheet 1, received 2nd October 2025

601186-HEX-00-XX-T-C-9210 V01 Surface Water Maintenance and Management Plan, received 2nd October 2025

601186-HEX-XX-XX-D-C-9200 P02 Surface Water Drainage Layout, received 2nd October 2025

601186-HEX-XX-XX-D-C-9210 P02 Drainage Details Sheet 1, received 2nd October 2025

Surface Water Flow V01, received 2nd October 2025

- 33 No piling or any other foundation designs using penetrative methods shall be carried out unless precise details have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details. A site-specific piling risk assessment must be provided for review and approval by Local Planning Authority prior to commencing piling activities on the site.

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 interests of visual amenity and heritage.
- 4 In the interests of visual amenity and heritage.
- 5 In the interests of visual amenity and heritage.
- 6 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.
- 7 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 Councils Local Plan.
- 8 To ensure that adequate cycle provision has been provided.
- 9 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 Councils Local Plan.
- 10 To ensure that 10% BNG is achieved at the site in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).
- 11 To ensure that 10% BNG is achieved at the site in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).
- 12 To ensure that 10% BNG is achieved at the site in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).
- 13 To ensure that 10% BNG is achieved at the site in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).
- 14 To ensure that 10% BNG is achieved at the site in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).
- 15 To ensure the development is safe and suitable for use, thereby taking into consideration the National Planning Policy Framework and Policy LPD7 of the Councils Local Plan.
- 16 To minimise the creation of waste.

- 17 In the interests of biodiversity and in order to comply with Policies ACS17 LPD18.
- 18 In the interests of biodiversity and in order to comply with Policies ACS17 LPD18.
- 19 In the interests of biodiversity and in order to comply with Policies ACS17 LPD18.
- 20 In the interests of biodiversity and in order to comply with Policies ACS17 LPD18.
- 21 In the interests of visual amenity and biodiversity.
- 22 In the interests of visual amenity and biodiversity.
- 23 In the interests of visual amenity and biodiversity.
- 24 In the interests of visual amenity and biodiversity.
- 25 In the interests of visual amenity and biodiversity.
- 26 In the interests of visual amenity and biodiversity.
- 27 In the interests of visual amenity and heritage.
- 28 To promote sustainable travel.
- 29 To promote sustainable travel, in the general interest of highway safety.
- 30 In the interests of visual amenity and in order to preserve the openness of the Green Belt.
- 31 In the interests of biodiversity and in order to comply with Policies ACS17 LPD18.
- 32 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.
- 33 To ensure that any proposed penetrative foundation solutions do not harm groundwater resources.

Notes to Applicant

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website.

The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the development type proposed is zero rated in this location.

Any new signage may require advertisement consent.

The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 39 of the National Planning Policy Framework (2024). Negotiations have taken place during the determination of the application to address adverse impacts identified by officers. Amendments have subsequently been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation

With regards to condition 10, the biodiversity gain plan must include :

- (a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- (b) the pre-development biodiversity value of the onsite habitat;
- (c) the post-development biodiversity value of the onsite habitat;
- (d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- (e) any biodiversity credits purchased for the development; and
- (f) any such other matters as the Secretary of State may by regulations specify.
- (g) timings for implementation

With regards to condition 7, 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) and The Electric Vehicles (Smart Charge Points) Regulations 2021

A claim for a bridleway has been made along the track that the applicant proposes to use for access. The applicant is strongly advised to contact countryside.access@nottscg.gov.uk for further information regarding the status of the claim and the impact that this may have on the proposal. If the claim for a bridleway is successful, this will need to be accommodated within the development.

It is recommended that the Secured by Design standard is adopted as part of this property redevelopment. Nottinghamshire Police Designing Out Crime Officers will be available to provide ongoing guidance to the developer in the adoption of the SBD standards, Further information can be found at;-

https://www.securedbydesign.com/images/COMMERCIAL_GUIDE_2023_v4.pdf

The developer is encouraged to consider site security during construction and review the relevant guide;-

https://www.securedbydesign.com/images/CONSTRUCTION_SITE_SECURITY_GUIDE_A4_8pp.pdf

The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

What is a permit and how to get one? - GOV.UK (www.gov.uk)

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here –

<https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

There may be a gas pipeline close to the site. The applicant is advised to contact Cadent Gas for further information.

With regards to condition 33, if Piling is proposed, a site-specific Piling Risk Assessment must be submitted to LPA / EA prior to commencing piling on the site and it must be 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.

With regards to condition 32, It is anticipated that areas of the site will contain infilled materials, and it would not be appropriate for infiltration drainage (such as soakaways) to discharge into infilled materials, waste, or made ground.

Waste on site

Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

The Environment Agency recommends that developers should refer to our:

O Position statement on the Definition of Waste: Development Industry Code of Practice and;

O website at <https://www.gov.uk/government/organisations/environment-agency> for further guidance.

Waste to be taken off site

Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- o Duty of Care Regulations 1991
- o Hazardous Waste (England and Wales) Regulations 2005
- o Environmental Permitting (England and Wales) Regulations 2010
- o The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standards BS EN 14899:2005 'Characterisation of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer

will need to register with the EA as a hazardous waste producer. Refer to the website at <https://www.gov.uk/government/organisations/environment-agency> for more

With regards to the discharge of conditions 10 (BNG Gains Plan) and 12 (BNG Habitat Management and Monitoring Plan), please be aware that a Section 106 Legal Agreement may be required in order to secure the required details and monitoring fee, as part of the discharge if condition application.

With regards to condition 10, the biodiversity gain plan must include:

- (a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- (b) the pre-development biodiversity value of the onsite habitat;
- (c) the post-development biodiversity value of the onsite habitat;
- (d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- (e) any biodiversity credits purchased for the development;
- (f) any such other matters as the Secretary of State may by regulations specify; and
- (g) timings for implementation.