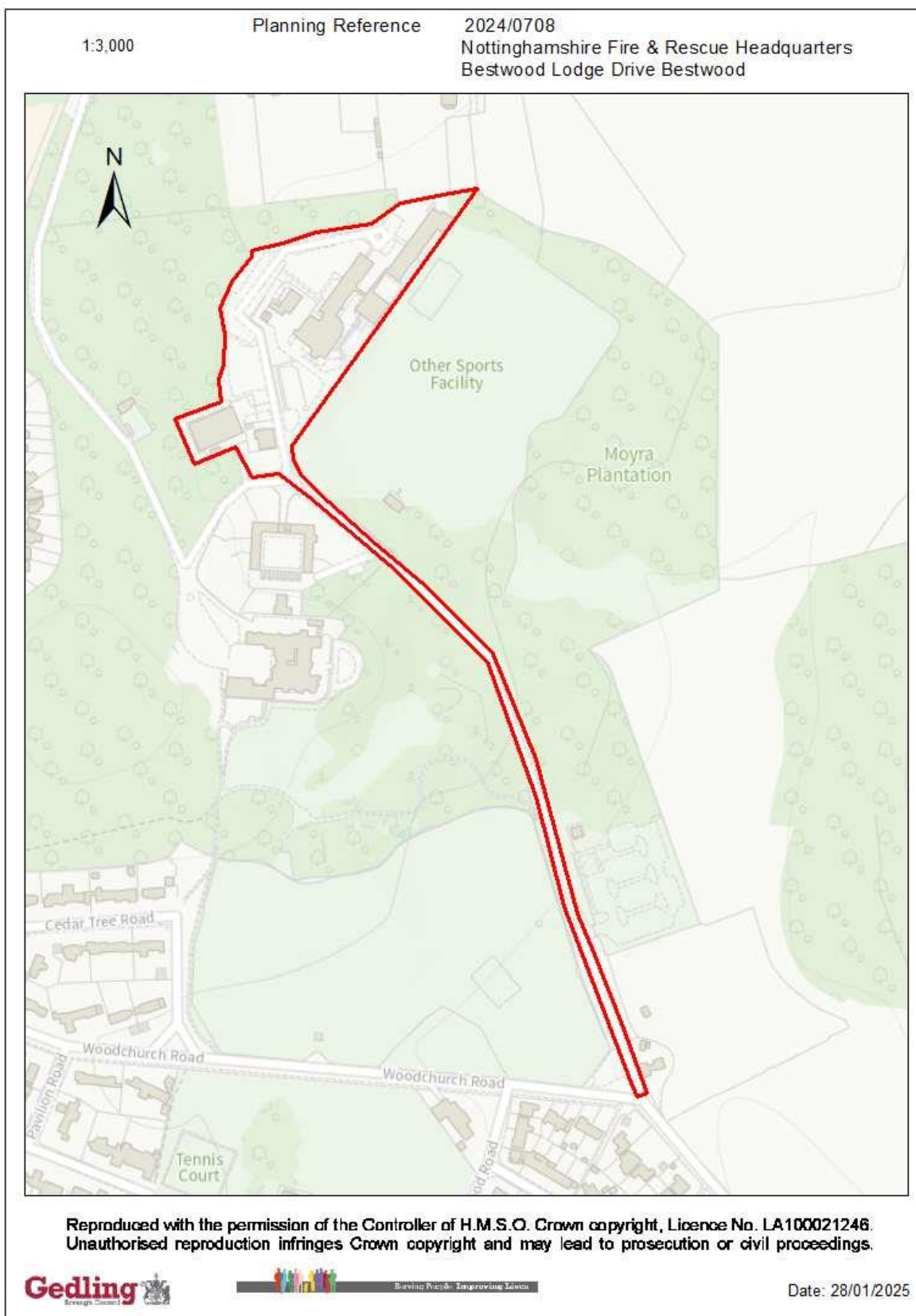




Planning Report for 2024/0708



Report to Planning Committee

Application Number: 2024/0708

Location: Nottinghamshire Fire And Rescue Headquarters,
Bestwood Lodge Drive, Bestwood, Nottinghamshire,
NG5 8PD

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

Applicant: Delamere Health Prop Co 1

Agent:

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 Beswood 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).

2.0 Proposed Development

- 2.1 Full planning permission is sought for;-

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

- 2.2 Guests at the clinic are self-referred when any aspect of their life becomes overwhelming. This may be their relationship with alcohol, drugs, work or their mental health. Guests typically stay for 28 days and receive both clinical and therapeutic services.
- 2.3 The proposed clinic will accommodate 32 en-suite residential bedrooms with supporting therapy and ancillary spaces, within a single built form. The ancillary spaces include administration offices, single and group therapy rooms, social and dining spaces as well as nursing provision.
- 2.4 The proposed use would be served by 30 car parking spaces (with further overflow if required) and bicycle storage.
- 2.5 Access is provided using the existing site access point, via Bestwood Lodge Drive. Some minor interventions to provide improvements to Bestwood Lodge Drive are included within the application proposals.
- 2.6 The proposed building sees a reduction in floorspace, footprint and volume than the existing building and is the same height at AOD115.14. In this case, this is approx. 11.8 metres and its highest point from the lower ground level of the site.

- 2.7 The proposal looks to remain on the previously developed area of the site, with much of the footprint commensurate with that of the existing building. The overall layout is condensed to form a smaller footprint more central to the site.
- 2.8 The proposal is 2-3 storeys with the third storey being at lower ground floor level where the topography of the site allows.
- 2.9 Materials proposed are a mix of brickwork, clay tiles and reconstituted stonework.

3.0 Relevant Planning History

- 3.1 2021/1225 Outline planning permission was sought for “Outline planning application with means of access, layout and scale for consideration for the construction of 32 dwellings.” This application was presented to the Planning Committee on the 7th September 2022, where it was resolved to grant planning permission, subject to the signing of a Section 106 Legal Agreement seeking developer contributions. However, the S106 agreement is still unsigned and the application still remains pending consideration.
- 3.2 The site has been the subject of a number of applications over a period of time relating to its function as the Fire and Rescue HQ. These applications are not, however, directly relevant to this planning application. Nonetheless, the most recent applications are included for completeness.

93/1651 – Extension to form new control room, workshop, stores and office – Granted Planning Permission 27th Jan 1994.

99/0588 – Single storey prefabricated office unit – granted planning permission on 19th July 1999.

2005/0165 – Erect 2m high palisade fencing – Granted Planning Permission on 5th April 2005.

2006/0424 – Alterations and extension of existing canteen – Granted Planning Permission – 20th July 2006.

2011/0995 – Installation of photovoltaic panels – Granted Planning Permission 27th October 2011.

4.0 Consultations

- 4.1 Parish Council:- Support proposal with the following summarised comments.

The new plan will preserve the existing footprint of the buildings set for demolition, replacing them with a contemporary yet sympathetic structure. The developer has given satisfactory guarantees that all materials, including roofing slates and brickwork, will harmonise with the adjacent Grade II listed buildings.

It is likely that the footfall and anticipated traffic flow would be less intrusive than a planned housing estate.

There is the additional benefit of employment opportunities in the near future.

Would like the following conditioned;- Samples and details of the finish of all external facing materials, hard and soft landscaping including boundary materials, any lighting, signage and parking delineation, details of the cycle store, details of the external pavilion, location and details of any plant required.

Residents believe the existing drainage system for removing surface water from Bestwood Lodge Drive is inadequate. Those living in the Stables, located opposite to the site entrance, have observed flooding, especially after heavy rain. The Parish Council and residents would endorse any measures that Nottinghamshire County Council highways / flood risk find acceptable.

The biodiversity net loss is noted at 15.67%. The application appears to address this issue, but it is crucial that the biodiversity net gain target is met and any plans must be approved by Gedling Borough Council upon the approval of this planning application.

The lighting scheme that includes both external and street lighting should be supportive of the natural habitat of bats that are located in this area. As recommended by the EcIA, wildlife friendly lighting both during and post-development should be followed. The details for a construction phase lighting scheme should be set out within the CEMP, while a post-construction Artificial Lighting Strategy sensitive to roosting and foraging bats should be secured by a separate condition. Any external lighting during the hours of darkness should not infringe on the neighbouring properties, such as the Stables, Bestwood Lodge dwellings.

- 4.2 Gedling Borough Council (GBC) Conservation Officer;- There are no heritage objections to this application which will not harm the historic parkland and will preserve the setting of, and thereby significance, of the Grade II* Lodge and its associated outbuildings. Element of the proposal will potentially enhance the setting of these heritage assets. The proposal is in accordance with S66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF, and policies in the local plan. Recommend conditions regarding external facing materials, hard and soft landscaping including boundary materials, any lighting, signage and parking delineation, details of the cycle store, details of the external pavilion, location and details of any plant required. Suggests conditions regarding samples and details of the finish of all external facing materials, hard and soft landscaping including boundary materials, any lighting, signage and parking delineation, details of the cycle store, details of the external pavilion, location and details of any plant required.
- 4.3 GBC Ecology Officer; No objection subject to conditions regarding mitigation measures, a pre-commencement badger survey, wildlife friendly lighting and bat and bird boxes. A Biodiversity Net Gain Plan must be submitted and approved by the LPA, following planning approval, but prior to commencement of development. A Habitat Management and Monitoring Plan (HMMP) should also be provided alongside the Biodiversity Net Gain Plan for off-site enhancements and any significant on-site enhancements.

- 4.4 GBC Scientific Officer;- No objection subject to conditions regarding contaminated land, electric vehicle charging and a Construction Emission Management Plan.
- 4.5 GBC Parks and Open Spaces Officer;- No objection to the proposed improvements to the access road (which is under the ownership of GBC). Would propose an annual contribution to routine maintenance and repairs.
- 4.6 GBC Arboricultural Officer;- No objection subject to conditions regarding proposed landscaping and tree planting, tree retention and tree protection.
- 4.7 Nottinghamshire County Council (NCC) Highways;- No objection subject to conditions. The proposed alterations have minimal impact from a Highways point of view. The proposed access arrangements for journeys by foot along Bestwood Lodge Drive mirrors those previously considered to be acceptable under application reference 2021/1225 for 32 dwellings. A Travel Plan monitoring fee of £7,500 is required.
- 4.8 NCC Lead Local Flood Authority (LLFA);- No objection, subject to a condition regarding drainage.
- 4.9 NCC Planning Policy;- No objection. The proposal does not trigger the requirement for any developer contributions. The application site lies within the historic landscape of Bestwood Lodge and Park, however it is clear that there have been significant impacts to ground levels for prior development of the site and it is unlikely that there are surviving archaeological remains that may be impacted by the development. No recorded public rights of way are affected by the proposal. However, the applicant should be made aware that a claim for a bridleway has been made along the track that the applicant proposes to use for access. If the claim for a bridleway is successful, this will need to be accommodated within the development.
- 4.10 Police;- No objection. Provide advice to the development regarding the Police Secure by Design Standards and Construction Site Security Guide.
- 4.11 Environment Agency. No response received.
- 4.12 Cadent Gas. No response received.
- 4.13 Historic England;- Do not offer advice but suggest the LPA seek the views of the internal heritage advisers. Internal heritage advisers have been consulted (as per 4.2 above).

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- 4.14 Neighbouring properties were consulted via letter, a site notice was placed at the site and a notice published in the local press. 4 letters have been received from neighbouring occupiers. 2 letters are in support of the scheme and 2 letters overall support the scheme but raise some concerns. These are summarised below;-

Support

Design

The proposed development looks stylish and private

The proposed development is not overbearing in the location.

The proposed new development will be much more in keeping with the area than the existing buildings

The proposed buildings are of a height that appears conducive to the area and nestled into the hillside as it rises from the current playing field.

The materials and structure of the proposed buildings use modern materials whilst remaining sympathetic to the character and ambience of the area.

The existing buildings have no beauty and have grown on a practical basis to accommodate the needs of the former occupants and therefore have no historic or architectural value.

Welcome the concept of keeping most of the new building on the existing building's footprint

Natural Environment

The applicant seems to care about the site, the natural woodland environment and the protected football fields

The drawing look sympathetic to the existing landscape and they appear to have taken great care to cause minimal impact on the established woodland, planting and trees already on the site

Approve of the efforts that are being made to minimise the removal of trees and to have a tree planting scheme appropriate with the adjacent wooded area

This development is more in keeping with the environment and with what it was replacing than the original proposal for residential development

Use

The purpose of the development also feels of benefit to the area

There is a need in the area for these facilities

Welcome the proposed social activities that will be provided on the site for the residents

Access

The number of vehicle movements will be less than when the fire service was in operation

The applicants are proposing a solution for segregating pedestrians from the vehicular traffic when they are using the access road

Other

Having the site once again occupied 24 hours a day will help detract individuals from behaving anti-socially

The removal of the large floodlights and the introduction of less industrial lighting will be of benefit

The applicant's other facility in Cheshire appears to be maintained to a high quality and also has an impressive routine of general upkeep and presentation

Concerns

The north-east corner of the building is somewhat nearer the boundary of the site than the building to be removed

Would prefer the existing palisade fencing to be removed with something more in keeping.

Concerned regarding the number of trees to be removed.

Concerned that replacement tree planting is likely to be dealt with through a planning condition and not prior to determination.

The existing building blends into the countryside with the help of the trees which are due to be removed.

Would like lighting to be kept to a minimum
Occupiers of residential properties in Bestwood Park have to adhere to strict covenants as they are attempting to blend into the forest.

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. 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: 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

6.0 The principle of development in green belt and a C2 use

6.1 The use of the building will fall within a C2 use and, therefore, policy LPD39 applies and identifies that three criteria against which the proposal needs to be assessed. Firstly, good access to services is sought, whilst it may have good access to conventional services, it also has good access to open space, which residents of this particular site are likely to require. Secondly, there are no known other such uses in the area and as a result there would be no over concentration of similar uses. Thirdly, a good level of amenity is required for both neighbouring occupiers and proposed users, which is considered later in this report (see 9.0 below). The proposal is, therefore, considered to comply with LPD39.

6.2 The NPPF sets out at paragraph 154 that development in the Green Belt is inappropriate unless one of the exceptions listed in that paragraph applies

Exception (g) allows for “Limited infilling or the partial or complete redevelopment of previously developed land... whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.”

6.3 The site is previously developed land in that it comprises 3,640m² of buildings over 2-3 storeys which were previously occupied by Fire and Rescue HQ. The site also includes a large car park with approximately 80 spaces and internal road network. The proposal would involve the redevelopment of the site.

6.4 As such the principle of the development is considered to accord with the first requirement of the exception in paragraph 154(g).. The second requirement of the exception is that the proposed development should not cause substantial harm to the openness of the Green Belt. The matter of openness is considered later in this report (see 7.0).

6.5 To summarise, for the reasons stated above, the redevelopment of the site for a private healthcare and rehabilitation clinic is, in principle, acceptable subject to the proposal not causing substantial harm to the openness of the Green Belt and the proposal complying with other relevant material planning considerations that are also considered later in this report.

7.0 Impact on the openness of the Green Belt

7.1 As explained above, in order to comply with planning policy, the proposal must not cause substantial harm to the openness of the Green Belt. The table below

demonstrates that the application scheme proposes material reductions across all the relevant indicators.

7.2

Item	GIA floor space	Footprint	Volume	Height at Highest Point	Total Hardstanding
Existing buildings	3,640 sq m	2,995 sq m	15,050 m ³	AOD 115.14	6,000 sq m
Proposed Clinic	3,154 sq m	2,088 sq m	14,096 m ³	AOD 115.14	2,966 sq m
% Reduction	-13.35%	-30%	-6.34%	-	-51%

7.3

In addition to these quantitative measures, it is also worth noting that the particular form of development will also ensure that there is no harm (indeed a reduced/beneficial impact compared to that which exists) on the openness of the green belt. The proposal is a much more compact form of development compared to the existing buildings, (and also when seen alongside the previous “approved” residential scheme). This current proposal represents a 63% reduction in the width of the existing built area and a 17% reduction in the depth of the existing built area, compared to existing. Overall, there is a 56% reduction in the area of building zone compared to existing. The proposal also looks to remain on the previously developed area of the site to mitigate any sprawl of built development.

7.4

Works to the full length of the existing private driveway serving the site are proposed including pedestrian footways, speed humps and additional signage. Due to the amount and nature of physical works proposed, these works are not considered to cause substantial harm to the openness of the Green Belt and are in accordance with paragraph 154 h) of the NPPF which allows for local transport infrastructure which can demonstrate a requirement for a Green Belt location.

7.5

For the reasons stated above, the proposal is considered to not cause substantial harm to the openness of the Green Belt and comply with Paragraph 154 of the NPPF.

8.0 Design, Appearance and Heritage Impacts

8.1

The Council’s Conservation Officer has assessed the proposal and has raised no objections.

8.2

The following heritage assets lie within close proximity to the application site;-

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.

- 8.3 The Fire and Rescue HQ date to the mid-20th Century and are of no known architectural or historic interest. There is not considered to be any harm that would arise from their demolition. Given the presence of the existing development and changes at this part of the site there is scope here to redevelop the site in a way that does not erode the historic landscape and which preserves, or enhances, the setting, and thereby significance, of the listed buildings in this former country estate.
- 8.4 Retaining the site in one ownership, rather than piecemeal private residential ownerships, allows for a potentially more comprehensive approach to landscaping, design and built form, which benefits this scheme considering the sensitivity of the setting. There is also less scope for suburbanisation of the site through this proposed use. The exclusion of the existing sports area from the red line also limits the area of potential change and alteration in the future.
- 8.5 The idea here of creating a generally coalesced built form is sound, allowing retention of the important green and wooded borders of the site and creating ample space for areas of landscaping.
- 8.6 The other design element that works well here is the linear and gabled form of the proposed new buildings, arranged around a series of courtyards, which in a broad sense emulates of the courtyard style layout of the existing stable block, walled garden and linear bakehouse. The general formality of layout with an emphasis on green landscaping also reflects the overall character of the historic site.
- 8.7 The footprint of the structures now proposed exceed those of any typical outbuilding, and in this respect, it is not necessarily an ancillary planform or proposal. However, the restriction of two storey elements to the rear of the site and the use of a lower ground floor level exploits the change in land levels here to help allow for a greater floor space but lessen the impact, and overall the scope of development and massing as submitted is acceptable here.
- 8.8 The chosen layout also re-uses existing hardstanding for the rear carpark and replaces a large and unattractive outbuilding with the overflow carpark, so has managed to assimilate these elements with little change. The removal of unused hardstanding and replacement with green landscaping is also a positive of the scheme.
- 8.9 The overall design successfully combines a broadly simple linear layout, but with areas of architectural ornamentation, and in this respect successfully mirrors the architectural approach taken to the stable courtyard. The contemporary detailing will create a legibly new building range here, which should also be assimilated into the overall style and character of the wider setting. The materials are also a good mixture of the red clay bricks and tiles, which is a strong local building material, while the elements of stonework also reflect the stone dressings used in the historic buildings here. Limited areas of metal work will add architectural interest in a recessive way, while the timber shingles on the walls gives a nod to the wooded setting. Together the materials will make a complementary and mellow palette.

- 8.10 The removal of existing structures and their replacement with landscaping at the southern entrance to the site is a successful element of the scheme, enhancing this part of the site and enhancing the immediate setting of the stable courtyard - allowing more of the wooded and treed setting that has been identified as being important and a positive element in the setting of the heritage assets here. This green landscaping and additional planting will go a long way to softening the impact of the scheme, which otherwise has a potentially more significant built form than the existing buildings.
- 8.11 While the proposal creates a more significant built form adjacent to the walled garden, the change in levels and retention of greenery will avoid the proposal being intrusive in its setting. The current historical link will remain legible in plan form terms by retaining the primacy of the Lodge and the retention of the historic tree banks to the west that currently link the Lodge and walled gardens.
- 8.12 The earlier Grade II Lodge at the entrance to Bestwood Lodge Drive may well have a greater visual impact from this proposal than from the existing HQ. However, this building already sits within a relatively altered setting owing to its proximity to the HQ and modern suburban developments of modern Bestwood. The proposed new development will not be unattractive in its setting, but will reflect the overall character of the wider site, and it will not detract from the current legibility of the site overall, as such should not harm the setting, or significance, of the listed Lodge.
- 8.13 It is anticipated that the degree of separation of Bestwood Lodge Hotel from the proposal site, along with the intervening green screening, new landscaping, and limited height of the proposed buildings, will retain the current visual separation of the two sites. Further, any glimpsed intervisibility of the site with the Lodge Hotel should be of a mellow material palette and complementary form, such that there will be no harm to the setting of the Grade II* Lodge and its Bakehouse.
- 8.14 To ensure the detailed finish of the proposal is acceptable, the following conditions should be attached to the grant of any planning permission;- Samples and details of the finish of all external facing materials, hard and soft landscaping including boundary materials, any lighting, parking delineation, details of the cycle store, details of the external pavilion, location and details of any plant required. An informative should be added advising the applicant that any new signage may require advertisement consent.
- 8.15 The following tree information has been submitted with the application;- BS 5837:2012 Tree Survey, Arboricultural Impact Assessment (AIA), Arboricultural Method Statement (AMS) & Tree Protection Plan (TPP) Reference RSE_8329_R1_V2_ARB.
- 8.16 The trees shown as retained on site have sufficient protection described. Due to the amount of trees protected by a TPO and category B trees within direct influence of the proposed works, it is important to the local environment and the site itself that every effort is taken to ensure their safe long-term retention. If planning is granted, a condition should be attached ensuring that all retained trees, and hedges are protected in accordance with the submitted tree survey and implemented before and during construction phases.

- 8.17 The indicative proposed landscaping plan shows a suitable level of tree planting to offset the loss of canopy due to development. Should planning permission be granted then precise details of proposed landscaping should be controlled through a planning condition.
- 8.18 A neighbour has raised concerns that replacement tree planting is likely to be dealt with through a planning condition and not prior to determination. However, this is standard practice and the Council's Arboricultural Officer has supported this approach. The Arboricultural Officer will be consulted on any future discharge of condition application regarding trees.
- 8.19 To conclude this section of the report, the design, layout and scale of the proposal is considered to be acceptable and does not have an unacceptable impact on nearby heritage assets. It is therefore considered that the proposal accords with Section 12 of the NPPF (2024), Policies 10 and 11 of the GBACS (2014), Policies LPD 19, 26, 27 of the LPD (2018) and the Council's Design Code Framework.

9.0 Residential Amenity

- 9.1 With regards to issues of overlooking, massing / overshadowing and overbearing, the separation distances of the site to neighbouring properties should be noted.
- 9.2 The rear garden boundaries of properties to the north do border the site. The proposed building is approx. 10 metres away from this boundary at its closest point. Due to the long rear gardens, the dwellings themselves are in excess of 80 metres away from the proposed building. There are also existing trees to this boundary which provides screening. Bestwood Lodge Stables (now residential properties) lie approx. 120 metres to the south of the site with the driveway intervening. Given these separation distances, it is considered that the proposal will not cause significant issues of massing / overshadowing, overbearing or overlooking.
- 9.3 A neighbour has raised concerns that the north-east corner of the building is somewhat nearer the boundary of the site than the building to be removed. However, given the separation distances explained above, this is not considered to have an unacceptable impact on neighbouring amenity.
- 9.4 With regards to issues of noise and disturbance, the proposal would host 32 residents and 40 full-time equivalent members of staff. The proposal is to provide a tranquil retreat for the residents of the rehabilitation unit and, as such, should not cause unacceptable issues of noise and disturbance. It is likely that the proposal will result in less noise than the proposed 32 dwellings which the Planning Committee has resolved to grant subject to the signing of a Section 106 legal agreement and also the previous use as the Nottinghamshire Fire and rescue regional headquarters. Any noise during construction is for a temporary period only.
- 9.5 The Council's Scientific Officer has requested a Construction Emissions Management Plan. This should address how the developers intend to conduct

dust suppression. This should be controlled through a planning condition, should planning permission be granted.

- 9.6 In summary, for the reasons stated above, it is considered that the proposed development would not have a harmful impact on existing neighbouring amenity and is therefore in accordance with Policies LPD32 – Amenity and LPD39 Specialist Accommodation which requires that new development would not cause a significant adverse impact on the amenity of nearby residents.

10.0 Highway Matters

- 10.1 The site is accessed via a private driveway which currently provides access to the former Nottinghamshire Fire and Rescue Service (NFRS) site, Bestwood Lodge Hotel, Bestwood Lodge Stables which are now converted into residential units, other residential properties and Bestwood Country Park (albeit there is a public car park towards the start of the private driveway serving the Country Park).
- 10.2 The proposed access point to the NFRS site itself is to remain as existing. As part of this current planning application, it is proposed to provide some improvements to the full length of the private drive leading up to the site itself to aid pedestrian access to the site. These works are the same as “approved” for the previous planning application for residential development at the site. This includes pedestrian footways, additional speed humps and additional signage. The Highway Authority has raised no objections to the proposed works to the private driveway. The Council’s Parks and Open Spaces team (Gedling Borough Council are the owners of the driveway) has also raised no objections to the proposal. The applicant will have an obligation to pay annual maintenance contributions for the upkeep of the road to GBC under the terms of a legal agreement which already exists between Nottinghamshire Fire and Rescue Service and GBC; The applicant will take on this liability when they buy the site (if planning permission is granted for this proposal).
- 10.3 The proposed use would be supported by 30 car parking spaces to the rear of the site with further overflow for 22 cars if required as well as bicycle storage.
- 10.4 Neither Gedling Borough Council’s Parking Provision for Residential and Non-Residential Development SPD or Nottinghamshire County Council’s Highway Design Guide set out parking standards for a private residential therapy centre. However, the Highway Authority has assessed the proposed parking provision and has commented that:-

“Parking provision has been assessed against practices at an existing Delamere site. Should the proposed number of spaces not be sufficient, then there are other non-designated areas where drivers could park.”

There is no reason to disagree with the professional advice of the Highway Authority.

- 10.5 The applicant has submitted a draft Travel Plan in support of this current planning application. This includes measures encouraging staff to walk, cycle, use public transport or car share to travel to work. The Highway Authority has

suggested a pre-commencement condition regarding precise details of a Travel Plan to be submitted and agreed in writing by the Local Planning Authority, in accordance with advice from the Highway Authority, prior to the commencement of development.

- 10.6 An informative should be attached to the grant of any planning permission advising the applicant that a claim for a bridleway has been made along the track that the applicant proposes to sue for access and the contact details for NCC Rights of Way team should be provided to the applicant.
- 10.7 For the reasons stated above, it is considered that the proposals would not have an unacceptable adverse impact on highway safety and is in accordance with Section 9 of the NPPF (2024) and Policies LPD 57 and LPD 61 of the LPD (2018).

11.0 Flood Risk and Drainage

- 11.1 The site is located within Flood Zone 1 and, as such, is at a low risk of flooding. Nonetheless, due to the size of the proposal, the applicant has submitted a Flood Risk Assessment and Drainage Strategy.
- 11.2 The LLFRA raises no objection to the proposal subject to a condition regarding a detailed surface water drainage scheme based on the principles set forward by the submitted Flood Risk Assessment and Drainage Strategy to be submitted to and approved by the LPA prior to development commencing. It is considered that there is no reason to disagree with the professional advice of the LLFRA.
- 11.3 The Environment Agency has been consulted on the application but has not submitted any comments. However, the site is located in Flood Zone 1 where the proposed use is compatible.
- 11.4 For the reasons stated above, subject to conditions, drainage at the site is acceptable and the proposal will not increase flood risk in the area. As such, the proposal is considered to be in accordance with Part 14 of the NPPF, Policy 1 of the ACS and LPD4.

12.0 Ecology

- 12.1 An Ecological Impact Assessment (EclA) report has been submitted in support of the planning application which includes assessments of bats, great crested newts, badgers, reptiles, birds and other animals. This report concluded that the buildings on site were unsuitable or absent of roosting bats but that some of the trees had the potential for bat roosting features and that foraging and commuting bats have the potential to be affected by artificial light source. There was no evidence of badger setts but there may be the potential for badgers to build setts through the site in the future. Great Crested Newts and other reptiles were not considered to be a constraint due to the absence of unsuitable habitats. There was the potential for nesting birds at the site.
- 12.2 The Council's Ecology Officer has assessed the EclA and has raised no objections. This is subject to recommendations within the EclA being secured

by way of planning conditions regarding a Construction Emissions Management Plan (CEMP), a pre-commencement 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.

- 12.3 The site lies within the buffer zone of the Sherwood Forest potential Special Protection Area (pSPA) where impacts on breeding nightjar and woodlark. By way of policy background, paragraph 3.17.3 in the Council's ACS states 'whilst this is not a formal designation, it does mean that these areas are under consideration by the Joint Nature Conservation Committee, and may be declared a proposed Special Protection Area in due course. The Aligned Core Strategies and Infrastructure Delivery Plan therefore take a precautionary approach and treat the prospective Special Protection Area as a confirmed European Site. The infrastructure Delivery Plan sets out requirements for a range of mitigation measures as recommended in the Habitats Regulation Assessment Screening Record. A decision on the extent of any possible Special Protection Area is not known. The application site is not in the core breeding area and the buffers, as noted above, are currently unknown. The proposed development on site is currently proposed over existing built development and hardstanding and located on a similar footprint to the existing development on site. Hardstanding is considered to be unsuitable habitat for nightjar or woodlark. It is therefore considered that the current proposed development of this site will have no impact on breeding populations of woodlark and nightjar.
- 12.4 For the reasons stated above, subject to conditions, the proposal is considered to not impact on ecology at the site and is considered to comply with part 15 of the NPPF as well as policies ACS17 and LPD18.
- 13.0 Biodiversity Net Gain (BNG)
- 13.1 From 12th February 2024 Biodiversity Net Gain (BNG) is mandatory for major development that does not meet the required exemptions. This means that developers must deliver a BNG of 10%. This results in a development with more or better quality natural habitat than there was before development.
- 13.2 The Biodiversity Impact Assessment, provided as part of the EclA, demonstrated a net loss of 15.67% Habitat Units on site, requiring the delivery of a further 3.30 Units of habitats appropriate to satisfy trading rules in order to meet the mandatory net gain target. The applicant has indicated that the remaining units will be delivered in the area within the blue line boundary on the site plans which is the private playing fields associated with the Fire Headquarters immediately to the east of the site.
- 13.3 No further BNG details are required at the planning application determination stage. However, should planning permission be granted for this development then this should be subject to the inclusion of a condition requiring a Biodiversity Gains Plan to be submitted to and agreed in writing. It is at this stage that precise details of both on-site and off-site BNG are assessed. A condition

requiring a Habitat Management and Monitoring Plan is also required to ensure that the BNG remains for a period of at least 30 years.

14.0 Other Matters

- 14.1 The Highway Authority has requested a Travel Plan Monitoring Fee of £7,500 which the applicant has agreed to pay. This will be secured through a Legal Agreement. The proposal does not meet the requirements for any other planning contributions.
- 14.2 In accordance with LPD 48, a local labour agreement for construction is required, this can be secured as part of the aforementioned Legal Agreement.
- 14.3 The proposal will employ 32 workers on a full-time basis and 14 workers on a part-time basis and will therefore aid the local economy.
- 14.4 Nottinghamshire Police: Designing Out Crime & Architectural Liaison Officer has raised no objection to the proposal. They have, however, provided advice regarding designing out crime features for commercial developments as well as site security during construction. This should be included as an informative on the decision notice, should planning permission be granted.
- 14.5 The applicant has confirmed that the proposal will comply with the Council's Low Carbon Planning Guidance by submitting an energy strategy stating that the site is in a sustainable location and also makes use of electric vehicle charging and cycle storage. The proposal removes hardstanding and includes the provision of additional landscaping. The proposal makes use of solar panels, SuDS as well as technology to minimise water usage and heating.
- 14.6 In accordance with the comments of the Council's Scientific Officer conditions regarding contaminated land, electric vehicle charging and a Construction Emission Management Plan should be attached to the grant of any planning permission.
- 14.7 NCC Planning Policy has confirmed that the site is not within a Mineral Safeguarding and Consultation Area, near to any existing mineral extraction sites or existing waste sites. They have, however, advised that the applicant submit a Waste Audit outlining how they will deal with waste during the construction and operational phases of the development.
- 14.8 There may be a gas pipeline running close to the site. Cadent Gas has been consulted on the application but has not submitted any comments. An informative should be attached to the grant of any planning permission advising the applicants to contact Cadent Gas directly.
- 14.9 With regards to neighbour objections that have not been addressed in the main body of this report;-

Details of proposed boundary treatments can be secured by way of a condition, should planning permission be granted.

In line with the comments of the Council's Ecology Officer, a condition should be attached to the grant of any planning permission controlling lighting levels at the site during construction and operation.

A neighbour has stated that occupiers of residential properties in Bestwood Park have to adhere to strict covenants as they are attempting to blend into the forest. Covenants are a legal matter outside of the planning system. However, it is considered that the proposal does not impact on the visual amenity or character of the area in any case, for the reasons set out in paragraphs 8.0 to 8.19 of this report.

15.0 Conclusion

- 15.1 The proposed development 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.

16.0 **Recommendation: GRANT PLANNING PERMISSION subject to the signing of a Legal Agreement with the Borough Council as the Local Planning Authority and the County Council to secure Travel Plan monitoring and a local labour agreement, and the following 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 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. PBL5-BSP-ZZ-ZZ-DR-D-0001 Rev P02, received 23rd January 2025

- 3 No above ground construction works shall commence until samples of the proposed external facing materials to be used in the construction of the development have been submitted to, and approved in writing by, the Local Planning Authority and the development shall only be undertaken in accordance with the materials so approved and shall be retained as such thereafter.
- 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 No development shall be commenced until full details of hard landscape works have been submitted to and approved in writing by the local planning authority. The scheme as approved shall be carried prior to the first occupation of the development.
- 6 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 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 175.
- 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.
 - Details of the proposed Swales and Soakaways are required prior to the discharge of condition stage.
- 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 Prior to commencement of the development a Construction Emission Management Plan (CEMP) for minimising the emission of dust and other emissions to air during the site preparation and construction shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must be prepared with due regard to the guidance produced by the Council on the assessment of dust from demolition and construction and include a site specific dust risk assessment. The CEMP should include detailed plans for all relevant mitigation recommendations set out within the EclA report. All works on site shall be undertaken in accordance with the approved CEMP unless otherwise agreed in writing by the Local Planning Authority.
 - 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 BNG Metric, received by the Local Planning Authority 3rd October 2024.
- 12 The development shall not commence until a Habitat Management and Monitoring Plan (the 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 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 to be submitted to the local planning authority,has been submitted to, and approved in writing by, the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.
- 13 Notice in writing shall be given to the Council when the:
 - (a) HMMP has been implemented; and
 - (b) habitat creation and enhancement works as set out in the HMMP have been completed.
- 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 HMMP.
- 15 a) Development must not commence until the following has been complied with:

Site Characterisation

An assessment of the nature and extent of any potential contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it

must include; a survey of the extent, scale and nature of contamination and; an assessment of the potential risks to: human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments.

Submission of Remediation Scheme

Where required, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures.

b) In the event that remediation is required to render the development suitable for use, the agreed remediation scheme shall be implemented in accordance with the approved timetable of works. Prior to occupation of any building(s) a Verification Report (that demonstrates the effectiveness of the remediation carried out) must be submitted and approved in writing by the Local Planning Authority.

c) 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 No development shall commence until a Waste Audit has been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details. Specific guidance on what should be covered within a waste audit is provided within paragraph 049 of the National Planning Practice Guidance.
- 17 Development shall not commence until a pre-commencement badger survey has been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be undertaken in accordance with the approved details.
- 18 Development shall not commence until precise details of wildlife friendly lighting both during and post-development have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.
- 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 not commence until an ecological enhancement plan, including enhancement recommendations made within the EclA report, such as installation of a variety of bat and bird boxes on retained site trees within the site has been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.
- 21 All retained trees, and hedges must be protected in accordance with the submitted tree survey and implemented before and during construction phases.
- 22 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.
- 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 No development shall be commenced until the following details have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.
 1. a scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted
 2. a schedule detailing sizes and numbers/densities of all proposed trees/plants
 3. specifications for operations associated with plant establishment and maintenance that are compliant with best practise
 4. a written five-year maintenance programme following planting. 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.

- 27 Development shall not commence until precise details of the following have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.

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

- 28 The proposed development hereby permitted shall not be brought into use until a Travel Plan has been submitted to and approved in writing by the local planning authority. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes which are acceptable to the local planning authority and shall include arrangements for monitoring of progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in that plan.
- 29 The proposed development hereby permitted shall not be brought into use until the highway works as shown on drawing number PBL5-BSP-ZZ-ZZ-DR-D-0001 Rev P02, received by the Local Planning Authority, 23rd January 2025, have been provided.
- 30 No part of the development shall be commenced until details of the existing and proposed ground and finished floor levels of the site and approved building[s] have been submitted to and approved in writing by the local planning authority. The development shall be carried out thereafter in accordance with the approved details.

Reasons

- 1 Reason: In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 Reason: For the avoidance of doubt.
- 3 Reason: In the interests of visual amenity and heritage.
- 4 Reason: In the interests of visual amenity and heritage.
- 5 Reason: In the interests of visual amenity and heritage.
- 6 Reason: 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 Reason: 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 Reason: To ensure that adequate cycle provision has been provided.
- 9 Reason: To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan and in the interest of biodiversity.
- 10 Reason: To ensure that 10% BNG is achieved at the site in accordance with The Environment Act (2021) – Biodiversity Net Gain and Schedule 7A of the Town and Country Planning Act 1990 (as amended).
- 11 Reason: To ensure that 10% BNG is achieved at the site in accordance with The Environment Act (2021) – Biodiversity Net Gain and Schedule 7A of the Town and Country Planning Act 1990 (as amended).
- 12 Reason: To ensure that 10% BNG is achieved at the site in accordance with The Environment Act (2021) – Biodiversity Net Gain and Schedule 7A of the Town and Country Planning Act 1990 (as amended).
- 13 Reason: To ensure that 10% BNG is achieved at the site in accordance with The Environment Act (2021) – Biodiversity Net Gain and Schedule 7A of the Town and Country Planning Act 1990 (as amended).
- 14 Reason: To ensure that 10% BNG is achieved at the site in accordance with The Environment Act (2021) – Biodiversity Net Gain and 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 Reason: To minimise the creation of waste.
- 17 Reason: In the interests of biodiversity and in order to comply with Policies ACS17 LPD18.
- 18 Reason: In the interests of biodiversity and in order to comply with Policies ACS17 LPD18.
- 19 Reason: In the interests of biodiversity and in order to comply with Policies ACS17 LPD18.
- 20 Reason: 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.

Informatives

- 1 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.
- 2 An informative should be added advising the applicant that any new signage may require advertisement consent.
- 3 The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2023). 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.
- 4 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

- 5 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
- 6 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@nottsc.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.
- 7 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
- 8 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
- 9 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

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