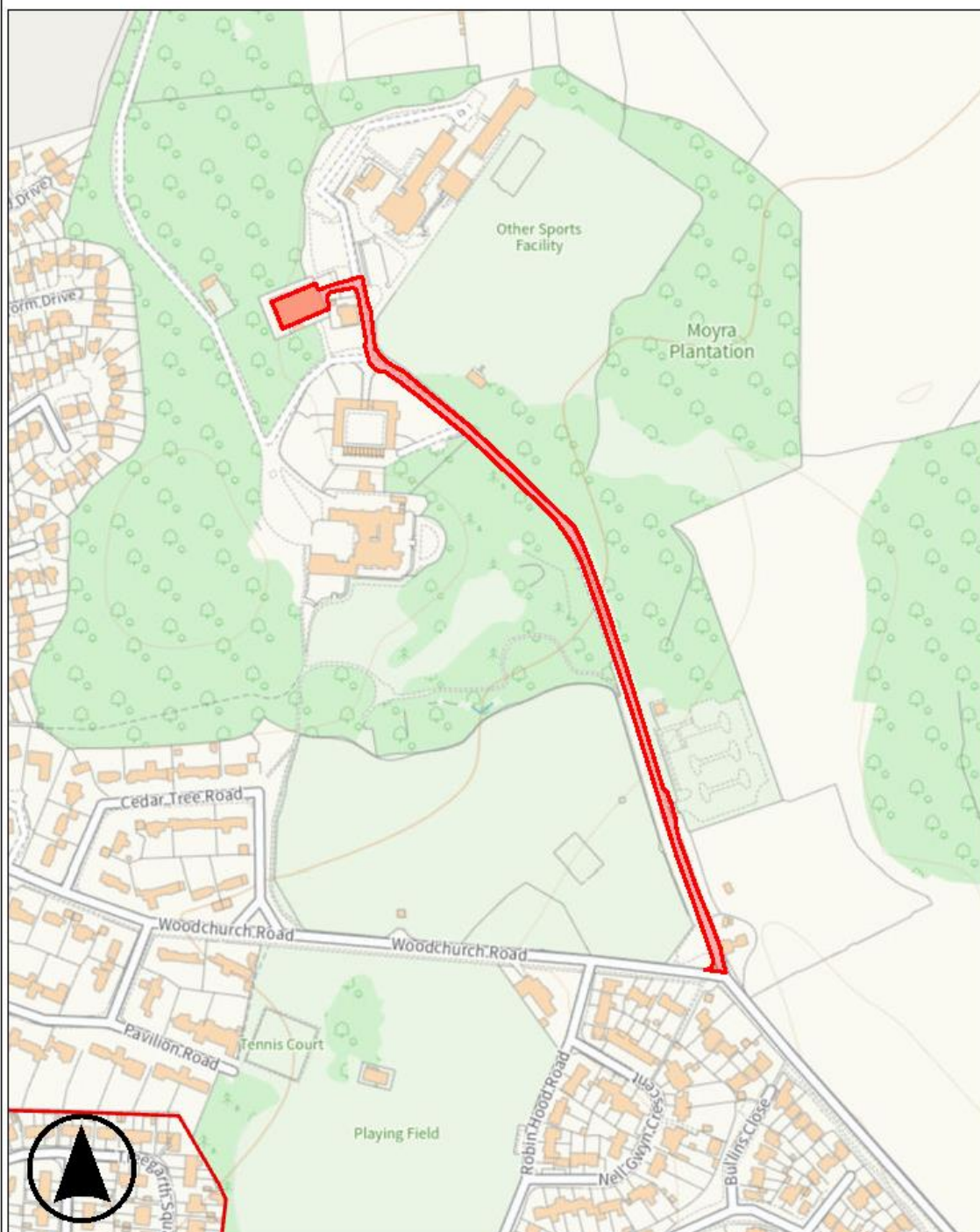




Planning Report for 2026/0327

Planning Reference: 2026/0327 Notts Fire And Rescue Service Headquarters,
Bestwood Lodge Drive, Bestwood

Scale: 1:3,307



NOTE This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site.
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Report to Planning Committee

Application Number: 2026/0327

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

Proposal: Solar Canopies

Applicant: Delamere Health Ltd

Agent: Anderson Orr

Case Officer: Claire Turton

The application is referred to Planning Committee in accordance with Section 10 of the Council's Constitution 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. Section 10 requires that planning applications involving land within the ownership of the Council are determined by Planning Committee rather than under delegated powers.

1.0 Site Description

- 1.1 The site was previously occupied by the Nottinghamshire Fire and Rescue Service as their regional headquarters, until 2022. Planning permission has been granted at the site for;

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

Works have started on the above development in terms of demolition and initial groundworks. At the time of writing this report, the majority of buildings on the site have been demolished and erection of the new building is due but has not commenced.

- 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 access road currently provides access to the site itself, 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 Planning permission is sought for 2 no. solar canopies over an area of the site approved for car parking.
- 2.2 One of the solar canopies is 25 metres in length by 6 metres in width and the other is 10.5 metres in length by 6 metres in width. The solar canopies have a mono pitched roof measuring between 3.3 and 4 metres in height. The solar canopies are open-sided allowing for cars to park underneath them.
- 2.3 The solar canopies would be constructed from Powder Coated Aluminium.
- 2.4 The solar canopies will provide renewable electricity to the principal building on site (the therapy clinic).

3.0 Relevant Planning History

- 3.1 2025/0702 Planning permission was granted in January 2026 for “*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 retaining wall).*”

- 3.2 All pre-commencement conditions for the above planning permission have been discharged through various discharge of condition applications.
- 3.3 2025/0701 Planning permission was granted in November 2025 for “*Full planning application for the replacement of an ancillary building with a smaller ancillary building, cycle store and car park.*” It is over this car park that the solar canopies are now proposed. The approved smaller ancillary building has also been approved with solar panels on its roof.

4.0 Consultations

- 4.1 Parish Council;- No comments received.
- 4.2 Nottinghamshire County Council Highway Officer;- State no objection.
- 4.3 Gedling Borough Council Ecology Officer;- No objection. States that considering that the planned works are to take place entirely on hard standing and the nature of the planned works, she is satisfied that ecology surveys would not be proportionate for this application. However, advises that an informative be attached to the grant of any planning permission regarding reasonable avoidance measures for ecology. This specific application is exempt from Biodiversity Net Gain (BNG) as the impacted habitat is below 25sqm.
- 4.4 Gedling Borough Council Conservation Officer;- *“The proposal is to provide a significant number of solar panels for the production of renewable energy for the site, to be sited as solar canopies in the overflow parking area. While there is no supporting statement with the application it is understood that this location is considered by the Developer to be preferable to placing solar panels on the main new-build structure. The approved application for the ancillary outbuilding in this parking area also shows solar panels on the roof, allowing all the solar panels to be grouped in this area.*

Given that there is a benefit from the scheme providing renewable energy, looking over the details of this application, and with knowledge of the wider site and wider redevelopment scheme, it is felt that that placing solar panels in this car park area would indeed be preferable to placing them on the main structure.

It is recognised that the overflow carpark location is physically closer to the listed buildings, but the taller overall height of the main new build structure, its bespoke design and its open frontage from the south, means solar panels on the main building are likely to be more visually more intrusive than in this proposed location. This is important not just to the design of the main building, but also important given the significance of the wider landscape setting to the appreciation and understanding of the former Country House at Bestwood Lodge Hotel (Grade II). Further, given the (until recently) large outbuilding in the overflow car park area, the more ancillary nature of this part of the site, and the tree cover around it, it is felt that the proposed submission is preferable in heritage terms than at other potential locations elsewhere at the site.*

Given the largely enclosed nature of the carpark in tree cover, the relatively low height of the solar canopies, and the integral nature of the panels to the roof of these canopies, the proposed solar canopies will be visually discrete and are

not felt likely not to harm the setting of the Grade II Listed Bestwood Lodge Hotel or associated Grade II listed outbuildings, including the Stable Court and Lodge. The altered nature of this part of the site, combined with the tree cover, means there is also not felt to be any harm to the special significance of the historic grounds and parkland around these assets, which while not a designated Registered Park and Garden could be regarded as a Non-Designated Heritage Asset in its own right.”*

- 4.5 GBC Scientific Officer:- No objection. In line with the main planning permission for the site, it would be prudent for the developer to have a contingency plan in place should development reveal any contamination and request a condition to this effect.

- 4.6 GBC Arboricultural Officer:- *“From an arboricultural perspective, the proposal raises no objection in principle.*

The works are confined to an existing hardstanding area within the wider redevelopment site, where tree protection measures are already in place and governed by an approved Tree Protection Plan and Arboricultural Method Statement. Given this, and the fact that the development sits within a managed construction environment, there is no requirement to duplicate baseline tree protection controls.

The canopy structures are supported on discrete foundations, meaning any potential impact on rooting areas will be localised and can be managed through adherence to the existing approved Arboricultural Method Statement.

My only reservation relates to the relationship between the canopies and nearby retained trees over the longer term. Given the surrounding tree cover, there is potential for shading of the solar panels, which in turn could lead to future pressure for pruning works to improve panel efficiency. This would be inappropriate where it conflicts with the amenity and retention objectives of the approved landscaping scheme.

On that basis, I would advise that any consent makes it clear that the presence of the solar canopies does not justify future pruning of retained trees beyond good arboricultural management, and that no works to trees should be undertaken that would harm their health, structure or amenity in order to improve solar gain.

Subject to that clarification, I am satisfied the proposal is acceptable in arboricultural terms.”

- 4.7 Historic England:- State no comments but to seek the advice of the Council’s Conservation Officer.

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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 National Planning Policy Framework (NPPF) (2024) and the National Planning Practice Guidance (NPPG) are both material considerations in the determination of this application. 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), 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 Planning (Listed Buildings and Conservation Areas) Act 1990. S.66(1) states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 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) states that all development proposals will be expected to mitigate against and adapt to climate change, to comply with national and contribute to local targets on reducing carbon emissions and energy. It continues to state that developments should maximise use of renewable energy generation systems.
 - 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, sale 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 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 2 (Other Renewable Energy Schemes) states that proposals for renewable energy schemes will be granted planning permission where they are acceptable in terms of:-
 - a. Green Belt;
 - b. landscape and visual effects;
 - c. ecology and biodiversity;
 - d. the historic environment;
 - e. open space and other recreational uses;
 - f. amenity of nearby properties;
 - g. grid connection;
 - h. form and siting;
 - i. mitigation;
 - j. the decommissioning and reinstatement of land at the end of the operational life of the development;
 - k. cumulative impact with existing and proposed development;
 - l. emissions to ground, water courses and/or air;
 - m. odour;
 - n. vehicular access and traffic; and
 - o. proximity of generating plants to the renewable energy source.
- 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 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 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 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
- Greater Nottingham Landscape Character Assessment

Appraisal

Green Belt

6.0 Paragraph 143 of the NPPF states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 143 goes on to state the five purposes of Green Belt:

- a) to check the unrestricted sprawl of large built up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

6.1 Paragraph 153 of the NPPF states that;-

“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”

6.2 Paragraph 154 of the NPPF then lists certain types of development that is not inappropriate in the Green Belt. The previous planning application at the site (for the residential therapy and treatment centre) was considered to comply with one of the criteria set out in paragraph 154. This was paragraph 154(g) which allows for;-

“redevelopment of previously developed land..., which would not cause substantial harm to the openness of the Green Belt.”

The previous application was not considered to cause substantial harm to the openness of the Green Belt as the built form proposed was less than the built form that was on-site (but proposed to be demolished) when the planning application was approved. This was in terms of floorspace, footprint and volume.

6.3 It is therefore important to note that planning permission has already been granted for the comprehensive redevelopment of the site, including the provision of a car park within which the solar canopies are now proposed. The current application therefore relates to a minor addition to an already approved development.

6.4 The proposed solar canopies are open-sided in design. However, they have metal columns and a roof covering and, as such, they are considered to have their own footprint and volume. The already approved residential therapy and treatment centre along with the now proposed solar canopies would still

constitute less volume and footprint than the previous Fire HQ building. However, as the previous Fire HQ building has now been demolished, its footprint and volume cannot be taken into account when assessing this current planning application. For these reasons, it is concluded that the proposal does not comply with paragraph 154g of the NPPF. The proposal also does not comply with any of the other exceptions set out in paragraph 154 of the NPPF.

- 6.5 In terms of harm to the Green Belt from the proposed solar canopies. As stated previously in this report, paragraph 153 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt. As such, it has to be concluded that the proposal causes definitional harm to the Green Belt. In terms of harm to the openness of the Green Belt caused by the proposed development, there is considered to be some harm but this is considered to be negligible, especially when taking into account the scheme already approved at the site. This is because the solar canopies are limited in scale, open-sided and located in an area already approved for use as a car park.
- 6.6 Having regard to the above, the proposal is considered to be inappropriate development within the Green Belt causing definitional harm to the Green Belt and negligible harm to the openness of the Green Belt. Therefore, there is a need to consider whether or not very special circumstances exist to allow planning permission to be granted, which is covered later in this report at Section 12.

Design and Heritage

- 7.0 As set out in paragraph 1.4 of this report, there are a number of designated heritage assets close to the site. As such, the Council's Conservation Officer has been consulted on the application. She has raised no objection to the proposal and has commented that placing solar panels in this car park area is preferable to placing them on the main structure (the approved residential therapy and treatment centre). She has stated that this is because:-

"It is recognised that the overflow carpark location is physically closer to the listed buildings, but the taller overall height of the main new build structure, its bespoke design and its open frontage from the south, means solar panels on the main building are likely to be more visually more intrusive than in this proposed location. This is important not just to the design of the main building, but also important given the significance of the wider landscape setting to the appreciation and understanding of the former Country House at Bestwood Lodge Hotel (Grade II). Further, given the (until recently) large outbuilding in the overflow car park area, the more ancillary nature of this part of the site, and the tree cover around it, it is felt that the proposed submission is preferable in heritage terms than at other potential locations elsewhere at the site."*

- 7.1 She then continues to state that placing solar canopies in the area proposed will not harm the setting of the nearby heritage assets:-

"Given the largely enclosed nature of the carpark in tree cover, the relatively low height of the solar canopies, and the integral nature of the panels to the roof of these canopies, the proposed solar canopies will be visually discrete and are not felt likely not to harm the setting of the Grade II Listed Bestwood Lodge*

Hotel or associated Grade II listed outbuildings, including the Stable Court and Lodge. The altered nature of this part of the site, combined with the tree cover, means there is also not felt to be any harm to the special significance of the historic grounds and parkland around these assets, which while not a designated Registered Park and Garden could be regarded as a Non-Designated Heritage Asset in its own right.”

- 7.2 I see no reason to disagree with the professional advice of the Conservation Officer.
- 7.3 The design of the solar canopies themselves are fairly typical of solar canopies in car parking areas. They are small scale, whilst allowing a car park to be parked underneath them, and open sided in nature. The design is considered to be acceptable.
- 7.4 For the reasons stated above, 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 the NPPF (2024), Policies 10 and 11 of the GBACS (2014), Policies LPD 19, 26, 27 of the LPD (2018) and S.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Amenity

- 8.0 The proposal is not considered to have an unacceptable impact on the amenity of neighbouring occupiers. This is primarily due to separation distances, with the nearest residential properties being approximately 50 metres away from the proposal on the other side of the private driveway as well as the scale and nature of the proposal.
- 8.1 For the reasons stated above, the proposal is considered to be in accordance with Policy 32 of the LPD which requires that new development must not have a significant adverse impact on the amenity of nearby residents.

Highway Safety

- 9.0 The site is accessed from a private driveway. Due to its location, the proposal does not affect access at the site.
- 9.1 Parking at the site is also not affected by the proposal. The solar canopies are located above an area approved for car parking as part of the planning permission for the residential therapy and treatment centre at the site. However, due to their design and layout, the canopies do not restrict any of the car parking spaces. It is not unusual to see solar panel canopies above car parking areas.
- 9.2 The Highway Authority has raised no objection to the proposal and I see no reason to disagree with the professional advice of the Highway Authority.
- 9.3 For the reasons stated above, the proposal is considered to be in accordance with Policy 61 of the LPD which states that permission will be granted for development proposals which do not have a detrimental effect on highway safety.

Ecology and Biodiversity

- 10.0 The Council's Ecologist has been consulted on the application and has raised no objection stating that as the planned works are to take place entirely on hard standing as well as the nature of the planned works, she is satisfied that ecology surveys would not be proportionate for this application. It should be noted that a number of ecology surveys were submitted with the previous application at the site for the proposed residential therapy and treatment centre. She has, however, advised that an informative be attached to the grant of any planning permission regarding reasonable avoidance measures for ecology. This covers measures such as working footprint, a toolbox talk to workers, measures if any protected species are found at the site, wildlife sensitive lighting during construction, measures to prevent entrapment of animals in pipes or trenches and pollution prevention. I see no reason to disagree with the professional advice of the Council's Ecologist and such an informative is recommended in section 14 of this report
- 10.1 This current application is exempt from Biodiversity Net Gain (BNG) as the impacted habitat is below 25sqm.
- 10.2 The Council's Arboricultural Officer has raised no objections to the proposal stating that;-

"The works are confined to an existing hardstanding area within the wider redevelopment site, where tree protection measures are already in place and governed by an approved Tree Protection Plan and Arboricultural Method Statement. Given this, and the fact that the development sits within a managed construction environment, there is no requirement to duplicate baseline tree protection controls.

The canopy structures are supported on discrete foundations, meaning any potential impact on rooting areas will be localised and can be managed through adherence to the existing approved Arboricultural Method Statement."

He does, however, advise that;-

"Given the surrounding tree cover, there is potential for shading of the solar panels, which in turn could lead to future pressure for pruning works to improve panel efficiency. This would be inappropriate where it conflicts with the amenity and retention objectives of the approved landscaping scheme. On that basis, I would advise that any consent makes it clear that the presence of the solar canopies does not justify future pruning of retained trees beyond good arboricultural management, and that no works to trees should be undertaken that would harm their health, structure or amenity in order to improve solar gain."

I see no reason to disagree with the professional advice of the Arboricultural Officer and also note that tree protection and management conditions were included as part of the original planning permission for the wider site. It is considered that an informative be attached to the grant of any planning permission to this effect, as set out in Section 14 of this Committee Report.

- 10.3 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.

Other Issues

- 11.0 The Council's Scientific Officer has raised no objection to the proposal. He has, however, stated that in line with the main planning permission for the site, it would be prudent for the developer to have a contingency plan in place should development reveal any contamination and request a condition to this effect. I see no reason to disagree with the professional advice of the Council's Scientific Officer and such a condition is recommended in Section 14 of this report.
- 11.1 It is not considered that this planning application decision will be affected by Local Government Reorganisation. The applicant is a private company that is not connected to the Council. The planning permission runs with the land and recommended condition 1, as set out in Section 14 of this report, would allow a developer three years to commence development. If planning permission is granted, then any pre-commencement conditions would require discharging by the Local Planning Authority under whichever Council is in place at the time.
- 11.2 There are no known equalities implications relating to the proposal.
- 11.3 As the proposal is for renewable energy development, this would aid sustainability.

Very Special Circumstances (VSCs)

- 12.0 As noted in paragraph 160 in the NPPF many renewable energy-related proposals will comprise inappropriate development within green belt-designated land. To allow the grant of planning permission a proposal would need to demonstrate very special circumstances and "such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources." The NPPF therefore provides for a balancing exercise.
- 12.1 Paragraph 153 of the NPPF requires the decision maker to ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 12.2 In reviewing the application, it is apparent that the development would not have a detrimental impact on nearby heritage assets, neighbouring amenity, ecology or highway safety. The proposed solar canopies would cause negligible harm to the openness of the Green Belt as they form part of a larger re-development of the site, would be located on an area of the site proposed to be hard landscaped for car parking and are small-scale in nature with open sides. It is

considered that the detrimental impact of the scheme would be minimal, with overall harm relatively low.

- 12.3 As explained in Section 7 of this report, free-standing solar canopies in this location will have less of an impact on the setting of the nearby heritage assets than solar panels located on the roof of the approved residential therapy and treatment centre (which would not enclose volume within the Green Belt). The recently approved ancillary building has also been designed with solar panels on its roof meaning that the solar canopies now proposed are as few as possible to power the main building. The location of the solar canopies proposed, close to this ancillary building, also means that all of the solar panels on the site are grouped together in one area.
- 12.4 When considering the above, and whilst accepting that VSC is a high threshold to reach, there are a number of factors that indicate support for the application to meet the threshold. Most notably, environmental benefits can be a VSC with the proposed scheme having clear environmental benefits in terms of renewable energy generation. In the wider policy context there is also a need to consider paragraph 161 of the NPPF where the planning system should support the transition to net zero by 2050.
- 12.5 Having regard to the above, it is considered that the identified benefits of the application clearly outweigh the harm to the Green Belt. The application has therefore met the threshold for very special circumstances and therefore the proposal is considered to be acceptable within the Green Belt.

13.0 Conclusion

- 13.1 In conclusion, and taking into account all relevant material planning considerations, it is considered that whilst the application would result in inappropriate development within the green belt; very special circumstances exist to allow the grant of planning permission. Notably the detrimental impact on the character of the area would be minor, the solar canopies would have less of an impact on the setting of the nearby heritage assets than the alternative of solar panels on the roof of the main residential therapy and treatment centre and that the clear environmental benefits of the scheme would meet the very special circumstances threshold and allow the grant of planning permission.
- 13.2 The proposed is therefore considered to comply with guidance within the NPPF, policies A, 1, 4, 10, 11, 12, 17, 18 of the Aligned Core Strategy and Policies 2, 7, 11, 18, 19, 26, 27, 32, 35, 57 and 61 of the Local Planning Document.

14.0 **Recommendation: GRANT PLANNING PERMISSION subject to 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, received by the Local Planning Authority 21st May 2026;-

Application Forms
Site Location Plan
Block Plan
Elevations

- 3 The development shall be undertaken in the materials identified on the submitted application forms.
- 4 In the event that contamination is found at any time when carrying out the approved development 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 of the Local Planning Authority, 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.

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 To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 121 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.

Notes to Applicant

- 1 The applicant is advised that all planning permissions granted on or 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 given that there is no net additional increase of floorspace as a result of the development.
- 2 Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with the National Planning Policy Framework.
- 3 In order to protect and maintain biodiversity in accordance with relevant wildlife legislation, the National Planning Policy Framework, Aligned Core Strategy

Policy 17 and Local Plan Policy LPD 18, works shall be conducted in accordance with the following Reasonable Avoidance Measures (RAMS):

- The working footprint will be kept to a minimum.
- A toolbox talk will be delivered to workers prior to the commencement of works to inform them of the potential for protected species and what to do if protected species are found during works. This should include halting work until a suitably qualified ecologist has been consulted.
- If any large mammal holes are identified within 30 m of the site, works will be halted until a suitably qualified ecologist has been consulted.
- Any common reptiles, amphibians or small mammals, such as hedgehogs, found during the works will be carefully moved to a safe, sheltered location (such as the base of a hedgerow) away from the works, using gloved hands.
- A wildlife sensitive lighting scheme will be employed, both during and post-construction, in compliance with the following guidance: Bats and Artificial Lighting at Night (Institution of Lighting Professionals, 2023), to avoid impacts to foraging and commuting bats and other nocturnal and crepuscular species.
- Appropriate RAMS will be followed to prevent entrapment of animals in pipes or trenches, such as provision of egress boards for any trenches left open overnight and capping of pipes over 120 mm in diameter.
- Materials such as netting and cutting tools will not be left in the works area overnight where they might entangle or endanger animals passing through the site.
- If possible, no stockpiles or piles of vegetation, rubble or soil will be left overnight. If this cannot be avoided, they will be stored raised off the ground or carefully dismantled by hand prior to removal.
- Building materials should be stored on pallets to discourage wildlife from sheltering within them
- Concrete should not be left unset overnight. If this cannot be avoided, a suitable barrier should be erected to prevent mammals accessing the concrete.
- Pollution prevention best practice will be followed during works.

4 Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Gedling Borough Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates was granted before 12 February 2024; or
 - (ii) the application for the original planning permission to which the section 73 planning permission relates was made before 12 February 2024.
4. The permission which has been granted is for development which is exempt being:

Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

- i) the application for planning permission was made before 2 April 2024;
- ii) planning permission is granted which has effect before 2 April 2024; or
- iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4 Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access

or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

Self and Custom Build Development, meaning development which:

- i) consists of no more than 9 dwellings;
 - ii) is carried out on a site which has an area no larger than 0.5 hectares;
- and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

"original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

- 5 The presence of the solar canopies does not justify future pruning of retained trees beyond good arboricultural management, and that no works to trees should be undertaken that would harm their health, structure or amenity in order to improve solar gain.