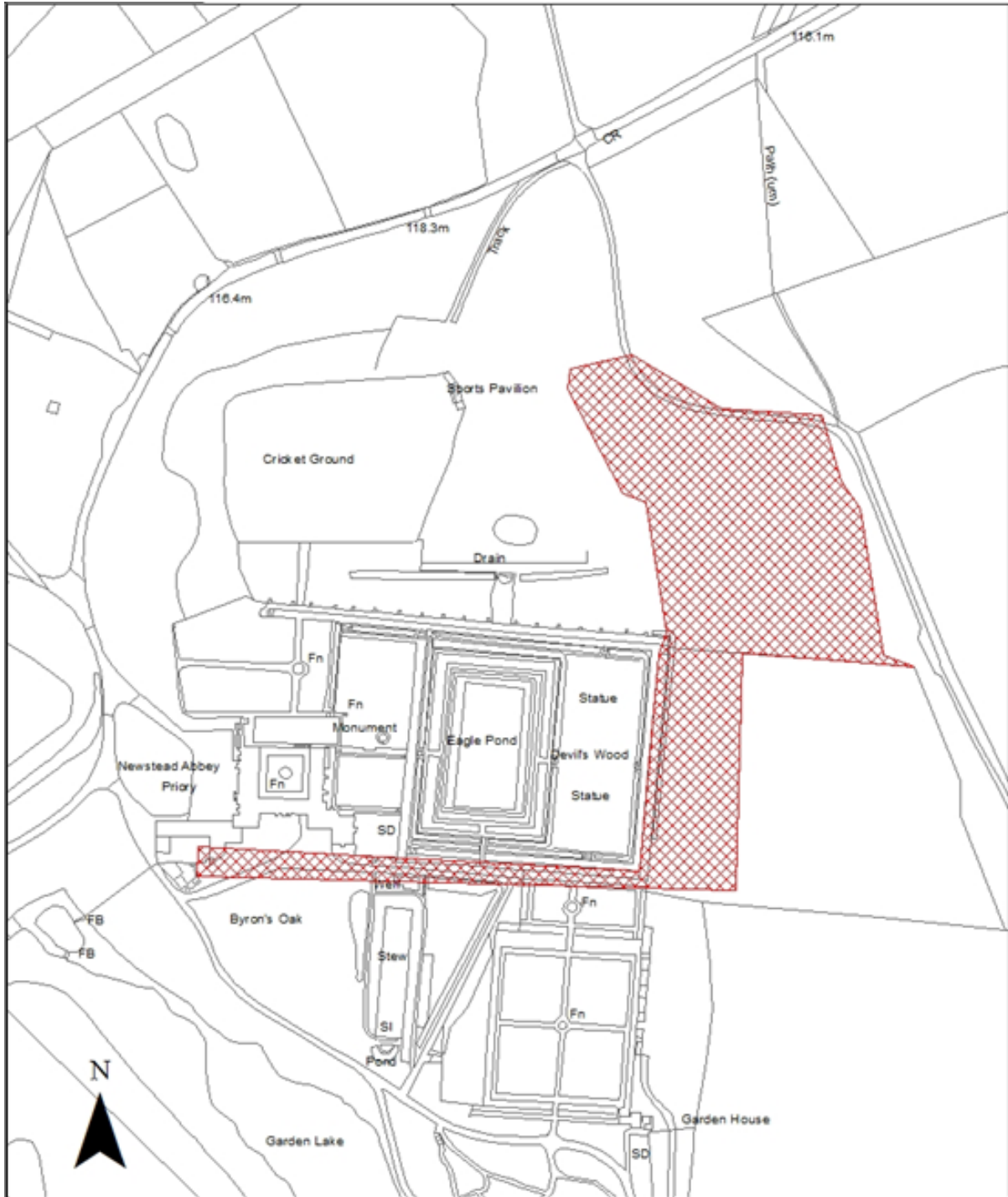


Application Number: 2014/1109
Location: Land Adjacent Newstead Abbey Newstead Abbey Park
Station Avenue Newstead



NOTE:

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Report to Planning Committee

Application Number:	2014/1109
Location:	Land Adjacent Newstead Abbey Newstead Abbey Park Station Avenue Newstead
Proposal:	Formation of six glamping cabins and supporting ancillary accommodation, within the existing context of the site.
Applicant:	Mr Nigel Hawkins
Agent:	Mr Chris Perkins
Case Officer:	David Gray

Joint Report with 2014/1110 – Application for Listed Building Consent

Site Description

The application site relates to an area of self-seeded woodland to the east and northeast of Newstead Abbey. Newstead Abbey is a Grade I listed country house converted from the remains of an Augustinian Priory c.1539. The buildings and structures are situated within the Grade II* Registered Historic Park and Garden. The formal gardens, including the lakes, are generally open in character while the deer park, particularly to the east of the Abbey is now extensively wooded. The proposal is on a site located approximately 250 metres due east and northeast of the Abbey buildings. The site incorporates an open field, originally known as Hall Lawn, directly abutting the eastern boundary wall to the formal gardens known as The Great Garden, and a slightly higher area of wooded parkland immediately to its north. The application site is located within the Green Belt, Historic Park and Garden, Local Wildlife Site, Mature Landscape Area and also within the Sherwood Forest / Greenwood Community Forest as identified on the Proposals Map of the Replacement Local Plan (Certain Policy Saved 2014).

Proposed Development

Full Planning Permission is sought for the formation of six 'glamping cabins' and supporting ancillary accommodation within the context of the site. 'Glamping' describes camping accommodation with more facilities than associated with traditional camping.

The proposal involves the erection of 6no. glamping timber cabins and 1 glamping ancillary cabin. The proposal is to use an underused wooded site to attract a greater number of visitors and to promote an interest in the Newstead Abbey site to ensure the ongoing sustainability of the site.

The development involves 3 different types of cabin which include:

- 4 x 14m² Accommodation Cabins;
- 2 x 17m² Accommodation Cabins;
- 1 x ancillary Cabin accommodating – 4 toilets and 2 showers.

The accommodation cabins would have timber burning stoves installed with the flues exiting through the cone of the roof at the ridge.

The proposed cabins would be located within the existing open spaces of the woodland.

The proposed glamping cabins are to be constructed from a durable solid timber.

The proposal would incorporate 4 x bird boxes and 3 x Bat Boxes.

Vehicle movements onto the site would be restricted to load/un-load in a designated area, once unloaded car parking would be accommodated in the existing car parking facilities on the site.

A Heritage Impact Assessment, Planning Statement and Arboricultural Implications Assessment have been submitted with the application.

Consultations

Newstead Parish Council – No objections. It is in the greater public interest to ensure a sustainable future for the Abbey (in order to maintain its role as one of the premier tourist attractions in Nottingham) and which therefore outweighs any possible harm that may be caused to the environment / heritage of the Abbey.

Nottinghamshire County Council (Highways Authority) – The proposed cabins are located within Newstead Abbey grounds which is private and not in the control of the Highway Authority. As such there are no highway concerns to the proposal.

Nottinghamshire County Council (Landscape) – No comments received.

Nottingham Building Preservation Trust – No comments received

Severn Trent Water – No objections or comments to make.

Wildlife Trust – The Wildlife Trust request that the advice given in Section 5 and 6 of the protected species survey report are followed: -

- Lighting associated with the development to be of low intensity and directed away from the boundary habitats.
- Vegetation should be cleared outside of the bird breeding season between 1st March and 31st August inclusive.
- Best practise should be followed during construction to avoid harm to badgers.
- Birds and/or bat boxes to be installed to enhance ecological interest of the

site.

English Heritage – The proposal will result in a degree of harm to the significance of the highly graded designated heritage assets and that clear and convincing justification is required for the proposal. It is strongly recommended that the application is not treated in isolation in the context of existing and future proposals for the site, and that the impact of the proposal on the sustainability of the heritage assets is robustly considered.

Notwithstanding that camping takes place on the site already we are concerned by the more permanent nature of the proposed use, the intensification of the site and alteration to its character.

It is advised the proposal will result in a degree of harm to heritage significance and whilst this can be assessed as less than substantial harm, it is nonetheless harmful.

Recommendation:

Advise the proposed works will result in a degree of harm to the significance of designated heritage assets. It will be for the Local Authority to determine whether a robust justification has been submitted for works and the public benefit clearly demonstrated to outweigh the degree of harm. In determining this application, it is strongly recommended the impact of this proposal is clearly understood in relation to the wider context and sustainability of the site.

Arboricultural Officer – I am satisfied that the application if carried out in accordance with the supplied Amber Tree Services report will not have an adverse effect on the trees in question.

The following note to applicant is advised:

It is essential that the trees are regularly inspected to ensure that any trees within falling distances of used facilities i.e. paths, car parks, stores, plays areas, paths and the structures themselves are free from defects likely to cause harm or damage to site users and their property.

Neighbouring Properties were notified and a Site Notice and Press Notice posted and 5 letters of representation and 2 duplicates were received as a result. The comments can be outlined as follows: -

- The glamping development would be detrimental to the Abbey as a historical monument;
- The presence of a full time campsite would lead to greater security problems for the estate and lead to reduced property values for the residents;
- The application should be refused otherwise it would set a precedent for other landowners;
- The development would result in an increase in noise nuisance;
- The management of the site is untenable by the changing of the codes for the security gates all the time;
- The proposals would be out of keeping with the Grade 1 Abbey and the

- Registered Park and Gardens;
- There are restrictive covenants that restrict development of this nature at Newstead Abbey Park;
 - The high volume of specialist events has caused disrepair to the shared driveway;
 - The permanent nature of the campsite would result in increased noise, security litter, and vandalism;
 - The people using the facility would invite other guests to the site increasing the noise and activity and increasing security issues;
 - There would be light pollution from the proposed development;
 - The planning application would be a breach of the existing covenants on site;
 - Concerns raised over the potential cumulative impact of further glamping development should planning permission be forthcoming.

Assessment of Application and Planning Considerations

The most relevant national planning policy guidance in the determination of this application are contained within the National Planning Policy Framework (NPPF) (March 2012) and additional information provided in the National Planning Practise Guidance (NPPG).

Gedling Borough Council adopted the Gedling Borough Council Aligned Core Strategy (GBACS) on 10th September 2014 and this now forms part of the Development Plan along with certain saved policies contained within the Gedling Borough Replacement Local Plan (GBRLP) referred to in Appendix E of the GBACS. The GBACS is subject to a legal challenge under section 113 of the Planning and Compulsory Purchase Act 2004 to quash certain parts. The challenge to the GBACS is a material consideration and must be taken into account. The decision maker should decide what weight is to be given to the GBACS. Given that the Policies of the GRLP reflect the guidance of the NPPF considerable weight has been given to these in this instance.

The following paragraphs of the NPPF are of relevance to the principle of this application: -

- 1. Building a strong, competitive economy (paragraphs 18 – 22);
- 3. Supporting a prosperous rural economy (paragraph 28);
- 9. Protecting Green Belts (paragraphs 80 – 92);
- 11. Conserving and enhancing the natural environment (paragraphs 109 – 125)
- 12. Conserving and enhancing the historic environment (paragraphs 126 – 141).

The following policies of the Gedling Borough Aligned Core Strategy (September 2014) are also relevant: -

- Policy 3: Green Belt;
- Policy 10: Design and Enhancing Local Identity;
- Policy 11: The Historic Environment;
- Policy 13: Culture, Tourism and Sport;
- Policy 17: Biodiversity.

The following saved policies of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014) are also relevant: -

- ENV1 (Development Criteria);
- ENV21 (Setting of Listed Building);
- ENV25 (Registered Historic Parks and Gardens);
- ENV36 (Local Nature Conservation Designations);
- ENV37 (Mature Landscape Areas);
- ENV42 (Aquifer Protection);
- R7 (Sherwood Community Forest / Greenwood Community Forest);
- R8 (Tourist Accommodation).

The main planning considerations in the determination of this application relate to: -

- The Public Benefit of the Scheme
- Green Belt
- Cultural Heritage
- Local Landscape
- Local Residents (Amenity)
- Highway Safety
- Other Considerations

The Public Benefit

At the heart of the NPPF there is a presumption in favour of sustainable development with paragraph 28 addressing development in rural areas. There is a strong emphasis on the need to assist economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. This incorporates the need to support sustainable rural tourism and leisure developments.

Policy R8 of the Replacement Local Plan states tourist related accommodation should be concentrated in built up areas and larger villages. Outside these areas tourist accommodation should be where: -

- a. it involves the re-use and adaption of an existing building;
- b. it accords with Green Belt policy; and
- c. it would not be seriously detrimental to residential amenity in nearby property.

Policy R7 refers to leisure uses within the Sherwood Forest Plan area and the Greenwood Community Forest. The Policy states that planning permission can be granted for leisure uses provided that: -

- a. on sites outside urban areas and villages proposals should accord with Green Belt Policy;
- b. it does not cause traffic, or parking problems which would harm the character of the countryside;
- c. it would not adversely affect the ecology or environment of sites of nature conservation value or archaeological or historic importance;
- d. it preserves the best and most versatile agricultural land; and

- e. access is available by a choice means of transport.

Newstead Abbey Park and Gardens was founded as a monastic house in the late C12 and was home to poet Lord Byron (1808 – 1814). The site covers over 300 acres of woodland and paths that meander past lakes, ponds and waterfalls. Newstead Abbey and the adjoining boundary walls are all Grade 1 Listed Buildings and the surrounding Newstead Abbey Park is registered Grade 11*. The site is all in the ownership of Nottingham City Council primarily as a tourist attraction. A number of proposals have been looked into to ensure the long term future of the tourist attraction.

Newstead Abbey Park and Gardens is one of Nottinghamshire's primary tourist locations and not only attracts visitors for a variety of special events and exhibitions, but is used for outdoor activities such as walking, cycling, camping and major events.

I also note that Newstead Abbey is on English Heritage's *Heritage at Risk Register* with the condition of the stonework on the ruined west end of the Abbey recognised as suffering from slow decay and requiring repair. The diversification of the income would help maintain the future integrity of the Heritage Asset.

A business case has been put forward by the applicant outlining the need to secure investment in infrastructure to enable the future and ongoing development at the site and to ensure that the number of visitors and revenue is increased to support the tourist asset. The proposed scheme would support an ongoing sustainable business to promote the Abbey Park and Gardens, with increased access and all year round revenue streams. A modest scheme for Glamping is proposed to broaden Newstead Abbey's customer base to encourage more visitors and families with the aim of keeping more people on site for longer thereby increasing revenue potential whilst not detracting from the heritage of the site.

The proposal would seek to support an existing tourist destination and would conform to the advice of paragraph 28 of the NPPF assisting economic growth in a rural location whilst offering increased access to an existing tourist attraction. It is my opinion significant weight should be attached to the benefits of giving increased access to members of the public to a popular tourist destination. In this regard, it is considered that the proposal has the potential to contribute positively to the rural economy and the future maintenance of a Heritage Asset.

It is considered that the principle of the proposal is accepted and supported; however, its acceptability rests in parts on the detailed consideration in particular to the impact on the Green Belt, the Listed Building and Registered Parks and Gardens, on Nature Conservation, on the character and appearance of the site and on the residential amenities of neighbouring properties.

Green Belt

Section 9 of the NPPF relates to 'Protecting Green Belt Land'. It outlines that as with previous Green Belt Policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 81 of the NPPF states inter-alia: 'local planning authorities should plan positively to enhance the beneficial use of Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.'

Paragraph 88 states inter-alia:

'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.'

Paragraph 89 states inter-alia:

'A local planning authority should regard the construction of new buildings as inappropriate in Green Belt' Exceptions to this include 'the provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.'

I note that the area of land that forms the application site is currently used for ad hoc camping and caravanning events on various occasions during the year utilising the General Permitted Development Order (GDPO) - Part 4 Temporary Uses legislation, which allows for the temporary use of the site for events on Paradise Field. I also note that there is an area that is run by the Caravan Club using GDPO - Part 5 permitted development.

Whilst I note that camping and caravanning already occurs on the site, the permanent use of the site for glamping would materially change the use of the application site. Given the nature of the development, the use class for 'glamping' would be Sui Generis.

The proposed development would provide appropriate facilities for outdoor sport / recreation. The erection of 6 'Glamping Cabins' and the ancillary block can be considered an appropriate form of development in the Green Belt as long as it would preserve the openness of the Green Belt and does not conflict with including land within it. The proposed cabins would all be sited within existing open spaces (glades) within self-seeded woodland to the northeast of the Devil's Wood walled garden. I note that the cabins would have modest dimensions. Given the location on existing openings within mature woodland, I consider that the adverse impact would be isolated to the immediate vicinity and would be well contained within the existing landscape and woodland. Therefore the impact on the openness would be limited to the immediate surroundings and to those using the site. Given the isolated and screened location I consider that the proposed development would only have limited impact on the openness of the Green Belt in this location and would also only cause a limited degree of encroachment. The limited impact of the change of use and the glamping cabins on the openness of the Green Belt and Encroachment needs to be balanced against the public benefits of the proposal discussed in section 5.0. I consider that on

the scale proposed, on balance, the limited impact on the openness and encroachment of the Green Belt in this location is outweighed by the public benefit the development. I therefore consider there to be 'very special circumstances' to justify the proposal in this instance.

Any intensification of the use of the site for more than the glamping cabins proposed could be considered over intensification of use that could adversely impact on the Green Belt in this location. I do note that the site operates miscellaneous events that incorporate camping and caravanning. The provisions of the Town and Country Planning Act Part 4 and 5 allow for temporary uses and caravan sites respectively. In order to successfully manage the site I would suggest attaching a condition to any approval restricting the ad hoc camping and caravanning to the provisions of the Town and Country Planning Act Part 4 and Part 5 to help preserve the openness of the Green Belt and to restrict the all year round glamping to the 6 units proposed. Part 4 – Class B allows for the use of land for any purpose for not more than 28 days in total in any calendar year or 14 days depending on the events. Part 5 Class A and B allows for the use of land as a caravan site subject to a site license.

Cultural Heritage

Legislation regarding buildings and areas of special architectural or historic interest is contained in the Planning (Listed Building and Conservation Areas) Act 1990, the NPPF and RLP Policy ENV21.

Paragraphs 132 and 133 of the National Planning Policy Framework advise that: -

'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade 11 listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, should be wholly exceptional.

Where a proposed development will lead to substantial harm to the loss of significance of a designated heritage asset, local planning authorities should refuse consent unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that the harm or loss.'

Section 66 of the 1990 Act requires that:

'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any other features of special architectural interest which it possesses.

Paragraph 134 of the NPPF states:

'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including its optimum viable use.

Given the location of the development, contained within a mature self-seeded woodland I am satisfied that the proposed glamping cabins would be sited in a sensitive location with minimal impact on the Listed Building and the Gardens limited to the immediate surroundings.

The most significant heritage asset affected by this development would be to the rear wall of Devil's Wood walled garden. The setting comprises the rear elevation wall facing into Paradise Field. The proposal would incorporate a facilities unit comprising of wash facilities and WC which would back onto the rear wall. The unit has been carefully designed with a ridge height lower than the height of the wall; this effectively would mean that the proposed unit would only be visible from outside of the curtilage of the walled gardens of Newstead Abbey. The development would also not be visible from Newstead Abbey and its gardens, as it would be obscured locally by the perimeter of the walled garden. Therefore the impact on the setting is limited to views across Paradise Field as you leave the wooded areas to the northeast. It is my opinion that this impact would be less than substantial and would need to be weighed against the public benefit of the proposals.

I note the comments from English Heritage which conclude that they are able to identify a harmful impact to the Heritage assets which they also commensurate as less than substantial.

In accordance with the NPPF the less than substantial harm to the setting of the Listed Building and Registered Park and Garden needs to be weighed against the public benefit of the proposal. I consider that significant weight should be given to sustainable development in a rural setting which gives access to tourism and leisure facilities. I therefore consider that the economic development to diversify the rural economy would outweigh the less than substantial harm to the heritage assets discussed above.

Should planning permission be forthcoming a condition would be attached to any approval requiring the precise details of the external meter cubicle to be sited behind the Glamping Cabin WC.

This application should be read in conjunction with the application for Listed Building Consent. Should Listed Building Consent be forthcoming a condition would be attached to any permission requiring written specification of the surfacing and ground condition of the route proposed for the services along with a method statement for the works proposed in order to ensure that any works through the listed gardens do not impact on the historic fabric of the gardens.

Local Landscape

The site is located within a Mature Landscape Area. Policy ENV37 of the Replacement Local Plan states where development is permitted, proposals would be required to minimise the harm to the area. Policy 10 of the Core Strategy states that

new development should protect, conserve or enhance landscape character in line with the Landscape Character Assessment. The site is located within the Policy Zone S PZ 44 Newstead Abbey Wooded Estate lands as identified in the Greater Nottingham Landscape Character Assessment. The landscape condition is defined as 'very good' and the landscape sensitivity area is 'high'. The overall landscape strategy is 'conserve' and for the built features it is recommended to:

- Conserve the character and architectural style of the historic abbey and priory buildings and its parkland and gardens and ensure this is respected in any new development.
- Locate any new small scale development to the east of the site in the more wooded area where it is well screened.

I note that the development is dependent on the small openings in the self-seeded woodland in which the cabins would be sited. The small openings in the woodland would provide substantial screening of the site from external receptor points given the mature surrounding woodland. I do note that historically the application site would have been open and would have been visible from the Abbey; however, over time the self-seeded woodland has been established which now provides a natural screen limiting the visual impact of the development to the immediate vicinity. I note that the landscape sensitivity is high and for built features it is recommended that they are sited to the east of the Abbey. I note that the proposed development would be sited to the northeast of the Abbey within existing openings of a densely wooded area which conforms to the recommendations for small scale development as identified in the Greater Nottingham Landscape Character Assessment.

It is my opinion that the proposed development has been sited to limit the visual impact to the localised area and would be substantially screened by the mature woodland in which it is sited. I therefore consider that the proposed development would have only a limited visual impact on the immediate surrounding area and would have no undue visual impact on the wider area.

Nature Conservation

Paragraph 109 of the National Planning Policy Framework states the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, water or noise pollution or land instability. The site is within the Aquifer Protection Zone. Policy ENV42 of the Replacement Local Plan states that planning permission should not be granted for development which would be liable to cause contamination of the groundwater in the aquifers unless measures can be carried out as part of the development to prevent such contamination taking place.

I am satisfied, given the nature of the development that the proposed cabins would not lead to undue contamination of the Aquifers given that they are self-contained and would not give rise to any significant contamination of ground water from their use. I note that the ancillary cabin would be connected to the foul drain of Newstead Abbey and I am satisfied that this is sufficient to deal with foul waste from the unit without adversely impacting on the Aquifers.

I note the Wildlife Trust have raised no objections to the proposal subject to the recommendations of the protected species survey. I also note that during the processing of the application the agent has provided information on the location of the proposed bird and bat boxes. Should planning permission be forthcoming I would suggest attaching a condition requiring the precise details of the low level lighting to be installed and that the development should not be brought into use until the bird and bat boxes are provided in accordance with the approved details. An informative would also be attached to any approval requiring any clearance works to be done outside of the bird breeding seasons. Given the above considerations I am satisfied that there will be no significant undue impact on the nature conservation of the site.

I note the comments from the Arboricultural Officer and as such I am satisfied that there would be no undue impact on surrounding trees and vegetation. Should planning permission be forthcoming I would suggest attaching a condition requiring the development to be carried out in accordance with the submitted Amber Tree Services Report outside of the bird breeding season as recommended.

Local Residents (Amenity)

Policy R8 and ENV1 of the Replacement Local Plan both state inter-alia that development should be allowed where it would not be seriously detrimental to residential amenity of nearby property.

I note the comments received from local residents with regards to security, light, noise, and litter.

The closest residential neighbour to the application site is Robin Hill which is sited approximately 240 metres to the northeast of the application site. Given the distances to the neighbouring dwelling and that the site is enclosed and contained within an established woodland, I am satisfied that the distances to neighbouring amenity are sufficient to mitigate any undue noise disturbance and light pollution from the proposed development. I am also satisfied that the application site appears self-contained and would not lead to undue trespass onto neighbouring land as the site is contained within existing openings in the woodland. Appropriate lighting proposed for the entrances of the cabins would be secured by condition.

I note the comments from neighbouring properties with regards to the potential for waste and litter. I note that the design and access statement states that all the glamping cabins would have waste facilities and recycling within the units. I also note that the site plan indicates that there would be a recycling and general waste bin enclosure adjacent to the entrance of the site with the main gate. I am satisfied that the proposed waste facilities are appropriate and proportionate to the scale and size of the proposal and that waste and litter can be successfully managed on site. Should planning permission be forthcoming I would suggest a condition requiring the precise details of the proposed bin recycling enclosure in order to secure a satisfactory design within its setting.

Newstead Abbey Park and Gardens operate a restricted gated access from the A60 and the Newstead Village entrance. The Design and Access Statement has

indicated the management plan of the site in which there would be no unrestricted access onto the site, given that people using the facilities would be issued with access codes to the gates to mitigate for this. I note that the site already operates under this system for the ad hoc camping and caravan events and I am of the opinion that given the small scale of the proposed development that the increased in numbers using the site would not result in any significant increase in security risks than are already present. The management of the security system would be further assisted by the glamping cabins only being available for short stays.

I note that the proposed cabins would be orientated to be facing away from the boundaries of the site in unobtrusive locations. I am satisfied, given the trees being retained, the existing ground cover landscaping, and the distances to neighbouring residential properties that the proposed development has been designed to eliminate views into and also out of the scheme. I am satisfied there would be no undue overlooking impact onto neighbouring amenity from the proposed development.

Highway Safety

I note that the Highway Authority have raised no objections to the proposal I am therefore satisfied that there will be no undue highway safety implications as a result of the development.

I note that the management plan accounts for car access to the glamping site only for drop off and pick up. The main car parking facilities will be provided in the existing car parking areas serving the Abbey. I am satisfied that current car parking provision is adequate to accommodate the additional vehicles associated with the proposed development. Should planning permission be forthcoming I would suggest attaching a condition requiring all over night car parking to be in the designated car park with the application site only being used for drop off and pick up in the designated area to restrict the impact of cumulative off street car parking at the site.

I note the representations received with regards to the potential increase in traffic and the potential to damage the access track. Given the scale of the development and that the access would only be used for limited periods for drop off I am satisfied that the proposal would not have any significant undue impact on the quality of the access track. Further maintenance of the private drive would be a private legal matter between all interested parties and would not be in the remit of planning legislation.

Other Considerations

I note the comments from neighbouring properties with regards to the potential of the development to negatively impact on value of neighbouring property; however, the value of neighbouring property is not a material consideration that I would attach significant enough weight to warrant a refusal of this application.

I note the representations received with regards to the development being contrary to restrictive covenants that are on site. Private covenants on title deeds are private legal matters that would override any planning permission and would not be material grounds for refusal of this planning application.

I note the comments with regards to a precedent being set on the site for future glamping projects and the potential for a negative cumulative impact of development. Any future proposals for glamping would be subject to a planning application and would have to be considered on their own individual merits including the cumulative impact of development. The potential for future planning applications is not a material planning consideration that would carry significant enough weight to warrant a refusal of this application.

Conclusions

At the heart of the NPPF is a presumption in favour of sustainable development, for decision making purposes this means approving development proposals that accord with the development plan, and where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless:

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or
- Specific policies in this framework indicate the development should be restricted.

In light of the considerations given above in relation to:

- The Public Benefit
- Green Belt
- Cultural Heritage
- Local Landscape
- Nature Conservation
- Neighbouring Amenity
- Highway Safety

I consider that on balance and taking into account the public benefits that would be generated as a result of the proposal that the development would constitute sustainable development. In reaching this conclusion I have had specific regard to paragraph 134 of the NPPF which advises 'Where a development proposal would lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the scheme proposal, including securing its optimum viable use.' Given the considerations set out in sections 5.0 to 12.0, above, I consider that it has been demonstrated that on balance the impacts of the proposal are acceptable when weighed against the public benefit of the scheme and the less than substantial harm to the significance of the heritage asset.

Recommendation:

To GRANT CONDITIONAL PLANNING PERMISSION:

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 built in accordance with the submitted plans, Design and Access Statement and application forms received on 29th September 2014 drawing no's: 4393 (20) 253 (Proposed Service Location Plan), 11107/ENV/001 (Existing Drainage Layout), 4393 (20) 250 (Proposed Site Plan), 4393 (20) 252 (Site Plan), 4393 (40) 455 (Toilet Cabin Elevation), 4393 (30) 353 (WC Floor Plans and Elevations), 4393 (30) 352 (Floor Plans), 4393 (30) 351 (Floor Plans), 4393 (20) 251 (Site Plan), and 4393 (00) 001.
3. The glamping cabins hereby permitted shall be used as holiday accommodation and shall not be occupied continuously by any person or persons for a period in excess of 28 days in any one single letting. There shall be no consecutive lettings beyond four weeks to the same person, family or group and a written record of lettings shall be kept and made available for inspection by the Local Planning Authority at their reasonable request.
4. The temporary car parking for the unloading and loading of vehicles shall use the area marked on the plan received on 12th February 2015 drawing number: 4393 (20) 250 Revision E. The loading and unloading of vehicles shall operate in accordance with the email received on 12th February 2015. The loading and unloading of vehicles shall only occur between the hours of 09:00hrs and 21:00hrs and will only accommodate a maximum of 2 vehicles at any time. The maximum period to use this area shall be 1hr for each vehicle.
5. Before development is commenced there shall be submitted to and approved by the Borough Council precise details of the materials to be used on the external elevations of the proposed development. The development shall be carried out in accordance with the approved details.
6. The development hereby approved shall be carried out in accordance with the recommendations of the Arboricultural Implications Assessment and Arboricultural Method Statement, BS 5873: 2012, Dated 3 September 2014 revised 16 September 2014.
7. The proposed bird and bat boxes shall be sited in the locations as indicated on the plan received by email on 2nd February 2015 and all works shall be carried out in accordance with the recommendations of sections 5 and 6 of the Protected Species Survey dated September 2014. The bird and bat boxes shall be installed before the development is first brought into use.
8. Before development hereby permitted is commenced there shall be submitted to and approved in writing precise details of the proposed external lighting on the cabins (together with the luminance levels and an estimated lux plot of the luminance). The lighting shall be implemented in accordance with the approved details.

9. Before development is commenced there shall be submitted to and approved by the Borough Council precise details of the proposed external meter cubicle (shown on plan no: 4393 (20) 250) adjacent to the rear wall of the Glamping Cabin WC. The development shall be carried out in accordance with the approved details.
10. Before development is commenced there shall be submitted to and approved by the Borough Council precise details of the proposed bin area including the type and stain of the wooden fencing. The development shall be carried out in accordance with the approved details. The bin store shall be constructed within the parameters set out in the email dated 12th February 2015 and the plan received on 12th February 2015 drawing no: 4393 (20) 250.
11. The application site shall only be used for holiday accommodation in the 6 approved cabins and no other camping or caravanning shall be operated on the site other than the provisions permitted within The Town and Country Planning (General Permitted Development) 1995 - Part 4 and Part 5 (or any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order).

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure the use of the cabins is effectively restricted to tourist accommodation as the introduction of a permanent residential use would be contrary to paragraph 89 of the National Planning Policy Framework (March 2012).
4. To ensure that car parking serving the development is directed to the main car park serving the site. In order to protect the amenity of nearby residential properties and protect the open character of the area in line with the aims and objectives of Policy ENV1, ENV21, ENV25, ENV36 and ENV37 and the aims and objectives of the National Planning Policy Framework (March 2012).
5. To ensure a satisfactory development, in accordance with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and with the aims of policy ENV1, ENV21, ENV25, and ENV37 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
6. To minimise the arboricultural impact of the proposed development, in accordance with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
7. To protect and enhance ecology interest in the area and to accord with paragraph 109 of the National Planning Policy Framework.

8. To protect and enhance ecology interest in the area and to accord with paragraph 109 of the National Planning Policy Framework.
9. To ensure that the proposed works do not impact on the fabric or setting of a Listed Building and Registered Garden in accordance with the aims and objectives of Policy ENV21, the National Planning Policy Framework and the Planning (Listed Buildings and Conservation) Act 1990.
10. To ensure a satisfactory development, in accordance with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and with the aims of policy ENV1, ENV21, ENV25, and ENV37 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
11. To ensure the use of the cabins is effectively restricted to the tourist accommodation proposed and not as a permanent campsite or caravan site.

Reasons for Decision

In the opinion of the Borough Council the proposed development would result in no significant undue impact on the character and setting of a Listed Building and Registered Park and Garden, and would not have an adverse impact on the amenities of neighbouring residential properties. The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014) and the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014), where appropriate. It is the opinion of the Borough Council that where the development conflicts with the Development Plan that other material considerations indicate that permission should be granted. The benefits of granting the proposal outweigh any adverse impact to the setting of the Listed Building and Registered Park and Garden.

Notes to Applicant

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

No removal of hedgerows, trees or shrubs which have the potential to support nesting birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before clearance works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority. As you will be aware all birds, their nests and eggs (except pest species) are protected by the Wildlife and Countryside Act 1981 (and as amended).

The Borough Council has worked positively and proactively with the applicant, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, based on seeking solutions to problems arising in relation to dealing with the planning application. This has been achieved by meeting the applicant and agent to discuss consultation responses; providing details of issues raised in consultation responses; requesting clarification, additional information or drawings in response to issues raised and providing updates on the application's progress.