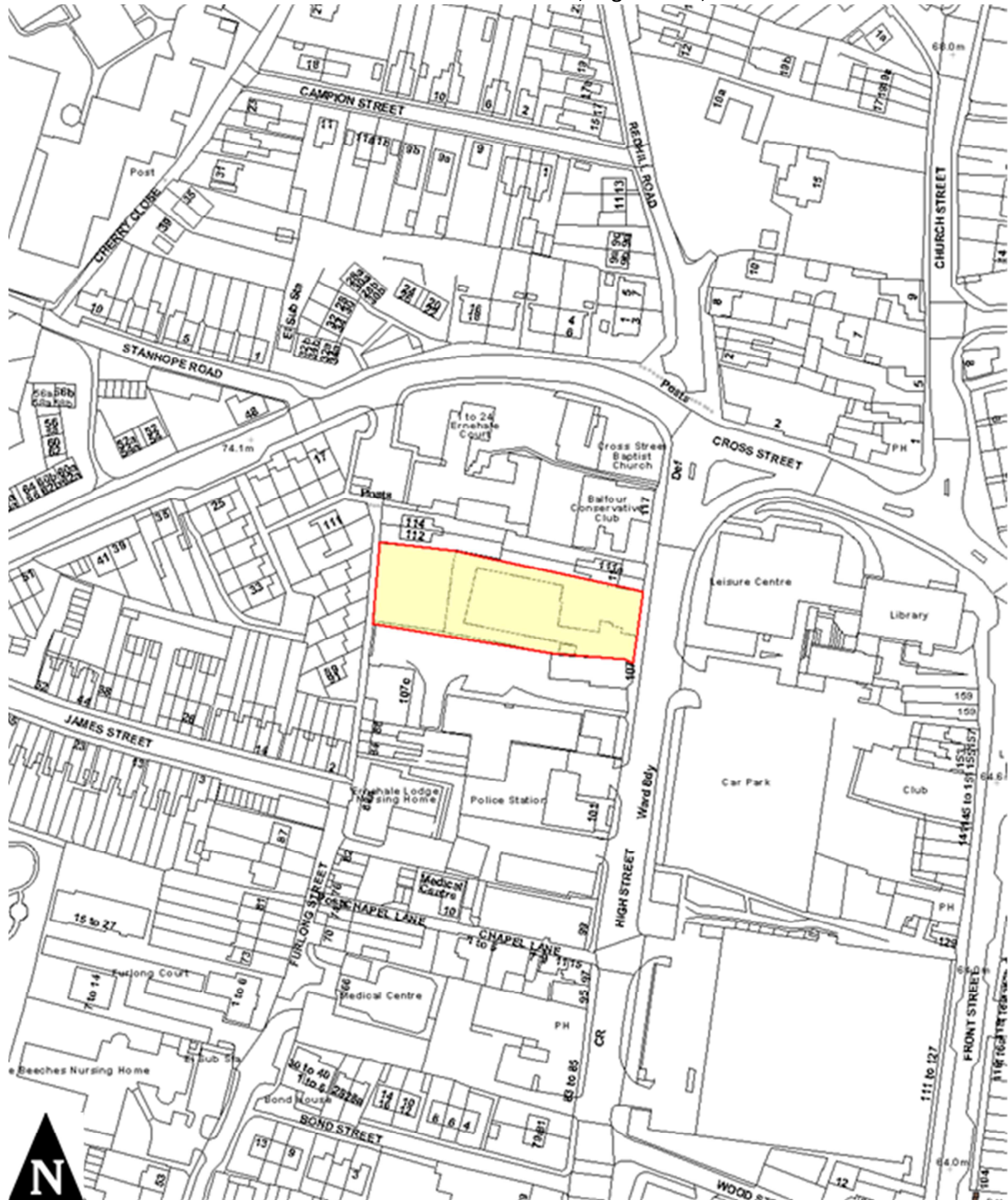


Application Number: 2013/0560

Location: Site of the Druids Tavern, High Street, Arnold.



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. Reproduced with the permission of the Controller of H.M.S.O. Crown Copyright No. LA 078026
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Report to Planning Committee

Application Number:	2013/0560
Location:	Site of Druid's Tavern, High Street, Arnold, Nottinghamshire.
Proposal:	Conversion of former Druid's Tavern Public House site to car park.
Applicant:	Gedling Borough Council
Agent:	Mr. John Evens.

Site Description

The application site relates to the former Druids Tavern public house within the Secondary Shopping Area of Arnold Town Centre as indicated in the Borough Council's Replacement Local Plan. The public house has been demolished, but hard surfacing exists to the former car park area. The site is currently used as a temporary public car park.

Two-storey residential properties adjoin the site to the north at no.111 High Street and no.112 Furlong Street. Residential properties are also situated to the rear of the application site on Furlong Street to the other side of a public footpath. No.111 High Street sits immediately adjacent to the site towards the front and facing onto High Street. This property has clear glazing at ground and first floor level to the front and rear elevations in close proximity to the boundary with the application site. No.112 Furlong Street is situated towards the rear of the site and has clear glazed ground and first floor windows facing the application site.

Low rise commercial properties adjoin the site to the south with a restaurant immediately adjoining the site at no.107 High Street.

A public car park and Arnold Leisure Centre face the application site on the opposite side of High Street.

Boundary treatments include 1.8m panelled fencing to the boundaries with residential properties and the footpath to the rear. A 2.0m high wall exists to the boundary with commercial properties to the south.

Relevant Planning History

Prior Approval was granted in March 2009 for the demolition of the public house – application ref. 2009/0055. The Public House was demolished following Prior

Approval being granted.

Conditional planning permission was granted in June 2012 for the erection of a police station – application ref. 2010/0331. This permission was not implemented.

Conditional planning permission was granted in December 2012 for the change of use of land to surface car park to provide 106 spaces including 6 disabled and 2 electric vehicle spaces – 2012/1193. This permission has not been implemented.

A discharge of condition application was deposited on the 30th May 2013 in relation to details of landscaping, surfacing, access/exit arrangements, pedestrian refuge, visibility splay, drainage, lighting position of cycle bays and CCTC cameras – application ref. 2013/0406DOC. Further details have been requested. The conditions remain outstanding at this time.

Proposed Development

Full planning permission is now sought for the change of use of the site to car park with a revised layout to that previously approved in December 2012. The site area is some 0.3ha larger than previously approved and the boundary is now shown to extend slightly into the service area immediately adjacent to the southern boundary of the site. The proposed car park would provide 74 parking spaces which would include 4 disabled and two electric vehicle parking spaces with charging points. This would provide 32 less car parking spaces than that proposed under the previous proposal.

A 1.8m high brick wall is proposed to the side and rear boundaries which is set into the site by 1m along the boundary with the adjacent building 111 High Street. 4 no. double lighting columns are proposed to the central reservation and 4 no. single lighting columns to each of the side boundaries of the site.

It has been indicated within the Transport Statement submitted with the application that this would be a replacement car park for the High Street car park (which has 150 spaces) should the High Street car park site come forward for development.

I have been advised that there are plans by the Council to increase parking on Croft Road after the Health Centre is built.

A parking survey of Arnold Town Centre car parking produced by 'Eye' consultants in February 2013 has been deposited with the application. I also note that strategic reports prepared by the Council have indicated that there is an over provision of parking in Arnold Town Centre and analysis of car parking charge indicates that parking is rarely used to capacity.

Consultations

Nottinghamshire County Council (Highways Authority) – It is understood that the car parking layout has changed from the previous planning permission ref. 2012/1193 to ease vehicular movement within the proposed car park. No objections are raised to the layout as shown on drg. No. G13/CP1/HAS11A providing that the conditions

attached to the previous permission 2012/1193 are attached should permission be granted in this instance. These require that prior to the development being brought into use, the access and exit arrangements are made available for use and are constructed in accordance with the Highway Authority specification, the parking spaces are clearly marked out and retained in accordance with approved plans, pedestrian visibility splays are provided and means of drainage are submitted, approved and installed. Conditions should also be attached requiring that prior to development being commenced details of the pedestrian refuge and associated road markings and details of construction and surfacing materials and lighting have been submitted to and approved by the Local Authority. The applicant should be advised of the need to enter into an agreement under S278 of the Highways Act as works are to be undertaken on the public highway. The applicant must also ensure that during construction no mud or debris should be transported on adjacent roads.

Public Protection - No issues have been raised by Public Protection in relation to the proposal.

Policy – Advise that comments remain unchanged from those provided for 2012/1193. The application site is located within Arnold Major District Centre Secondary Shopping Area as identified in the Replacement Local Plan (2005).

The following core planning principles of the National Planning Policy Framework (2012) are relevant to this planning application:-

- 1. Building a strong, competitive economy (paragraphs 18-22)
- 2. Ensuring the vitality of town centres (paragraphs 23-27)
- 4. Promoting sustainable transport (paragraphs 29-41)

Paragraph 215 of the National Planning Policy Framework states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework.

The following saved policies of the Gedling Borough Replacement Local Plan (2005) (Saved Policies 2008) are relevant to this planning application:-

- S6: Arnold Secondary Shopping Area
- C4: Loss of Community Facilities

It is understood that the applicant wishes to relocate the existing car park from the Leisure Centre site to the application site on the other side of High Street. The submitted Transport Statement states that an extensive survey of parking availability in the local area was undertaken and the assessment found that parking availability within the local area is sufficient and travel to the local area is well supported with good public transport services.

Paragraph 19 of the National Planning Policy Framework states the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. The proposal should accord to paragraph 40 of the National Planning Policy Framework which states that local authorities should seek to improve the quality of parking in town centres so that it is convenient, safe and secure, including appropriate provision for motorcycles.

Policy C4 of the Replacement Local Plan states that planning permission should not be granted if development would lead to the loss of community facilities resulting in increased car journeys to the next available facility. The Public House building has been demolished and the site is no longer in use. There are existing Public Houses within Arnold shopping centre.

Policy S6 of the Replacement Local Plan is flexible and allows for the accommodation of other uses where the harm is not caused to the vitality and viability of the centre. Advice of paragraph 19 of the National Planning Policy Framework states that planning should operate to encourage and not act as an impediment to sustainable growth. It is concluded that, on balance, Planning Policy would not have any objections to the proposal provided there are no objections from the Highways Authority.

Environment Agency – No comments are raised.

Nottinghamshire Police Force Architectural Liaison Officer – No concerns are raised.

Adjoining neighbours have been notified of the proposal and a site notice posted. No comments have been received.

Planning Considerations

I am mindful that the principle of the proposed development has been established in the granting of planning permission in December 2012. In my opinion the main planning considerations in the determination of this application are:-

1. the suitability of the location for the proposal;
2. the impact on the street scene;
3. the impact upon neighbouring amenity; and
4. highway implications.

At a national level the most relevant parts of the National Planning Policy Framework (NPPF) in relation to the determination of this application are:-

Section 1 Building a Strong Competitive Economy (paragraphs 18-22);

Section 2 Ensuring the Vitality of Town Centres (Paragraphs 23-27);

Section 4 Promoting Sustainable Transport (Paragraphs 29-41); and
Section 7 Requiring Good Design (Paragraphs 56, 57 and 61).

At a local level the following policies of the Gedling Borough Replacement Local Plan are also relevant to the determination of this application:-

S4 Environmental Improvements;
S6 Arnold Secondary Shopping Area;

T10 Highway Design and Parking Guidelines; and ENV1 Development Criteria.

Gedling Borough Council at its meeting on 13th February 2013 approved the Gedling Borough Aligned Core Strategy Submission Documents which it considers to be sound and ready for independent examination. Consequently, Gedling Borough in determining planning applications may attach greater weight to the policies contained in the Aligned Core Strategy Submission Documents than to previous stages, as it is at an advanced stage of preparation. The level of weight given to each policy will be dependent upon the extent to which there are unresolved objections (the less significant the unresolved objections, the greater weight that may be given). Overall, while there are objections to the relevant ACS policies identified, these are not considered significant in terms of this application and significant weight can be given to the ACS policies identified above. Policy 14 Managing Travel Demand of the ACS is also relevant in this instance.

Suitability of the location of the proposal

Paragraph 40 of the NPPF advises that local authorities should seek to improve the quality of parking in town centres so that it is safe and secure and includes appropriate provision for motor cycles. I note that the application site falls within the Secondary Shopping Area and is in close proximity to the Arnold Town Centre and that the supporting Transport Statement submitted with the application states that the proposed development will relocate the existing High Street public car park.

I am mindful of the subsequent reduction in the number of public car park spaces within the area following the closure of the existing car park on High Street which currently provides a total of 150 spaces. However, I note that the Highway Authority have raised no comments with regards to the number of parking spaces to be provided. I also note that the parking survey deposited with the application indicates that there is currently an over provision of parking within the Town Centre. I am therefore of the opinion that, on balance, given that the Secondary Shopping Area and the Arnold Town Centre are well served by public car parks, short stay off street parking and public transport links, this reduction would not have a significant impact upon the vitality or viability of the area to justify refusal on these grounds.

I do not consider that Policy C4 of the Replacement Local Plan is relevant in this instance given that the Public House was demolished in 2009.

Taking this into account I am of the opinion that the proposed development is an appropriate use within the area given that it will serve the Secondary Shopping Area and Arnold Town Centre. I am also satisfied that it is appropriately sited in close proximity to the car park it is intended to replace.

Impact upon the streetscene

Paragraphs 56 and 57 of the NPPF emphasises the importance of considering design when determining planning applications and states;

‘The Government attaches great importance to the design of the built environment

Good design is a key aspect of sustainable development, is indivisible from good planning and contribute positively to making places better for people.'

'It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.'

Paragraph 64 of the NPPF identifies that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of the area and the way it functions.

Criterion a. of Replacement Local Plan Policy ENV1 reflects this guidance and requires that development should be of a high standard of design, having regard to the appearance of the area and does not adversely affect the appearance of the area by virtue of its form, layout or materials.

Policy S6 of the Replacement Local Plan relates to the Arnold Secondary Shopping Area. Criterion b of this policy is also relevant. This states that appropriate town centre uses will be permitted provided that the proposal would not harm townscape quality.

In addition criterion a. of Replacement Local Plan policy S4 indicates that the Borough Council may undertake the provision of environmental enhancement and off street parking provision. The sub text of this policy identifies that town centres must provide a high quality environment in order for their continuing prosperity and enhancement.

I note that this application relates to the cleared site of the former Druids Tavern public house and its car park, hard surfaced and grassed areas to the rear. The public house has been demolished and currently approximately half of the site remains hard surfaced and used as a temporary public car park.

In considering the proposal I am satisfied that the proposed car park would bring this currently untidy site which is of poor appearance back into a viable use and that its visual impact within the immediate streetscene, the surrounding Secondary Shopping Area and the adjacent Town Centre would be significantly improved. Although I am mindful that the proposed use would result in the loss of a number of mature trees and soft landscaping within the site, I consider that this loss would be mitigated by the proposed planting scheme as indicated on the submitted drawings which would further secure the visual amenity of the site.

Taking this into account I am of the opinion that the proposal would visually improve the appearance of the site and that it would sit well within the character of the streetscene and the wider Secondary Shopping Area and Town Centre.

Impact upon neighbouring amenity

Criterion a. of Policy S6 of the Replacement Local Plan requires proposals to not be detrimental to local residential amenity.

Criterion b. of Replacement Local Plan Policy ENV1 reflects this guidance and identifies that permission will not be granted for development that would have a significant adverse effect upon the amenities of adjoining occupiers or the locality in general by virtue of the level of activities on the site or the level of traffic generated.

I am mindful that the site is adjoined to the north and west by two storey residential properties. I note that Public Protection consider that the proposal would not raise any Environmental Protection issues.

Taking this into account I am satisfied that the proposed use would not result in a significant adverse impact upon the residential amenity of the occupiers of adjoining dwellings to justify refusal on these grounds.

Highway implications

Paragraph 32 of the NPPF states that planning decisions should take account whether safe and suitable access to the site can be achieved by all people and whether cost effective improvements can be undertaken to limit any significant impacts of the development. Development should only be refused on transport grounds where the residual cumulative impacts of the development are severe. Paragraph 40 of this document adds that local authorities should seek to improve the quality of parking in town centres so that it is convenient, safe and secure.

Paragraph 40 of the NPPF needs to be balanced with the requirements of Policy 14 of the ACS (2013) which aims to manage demand for travel. The Travel Assessment submitted with the application has assessed the proposed car park in relation to promoting more sustainable forms of travel. The Travel Assessment indicates that the reduction in car parking space together with alternative forms of transport will contribute towards managing demand for travel and therefore the proposal complies with Policy 14 of the ACS (2013). I also note that supporting evidence has been deposited with the application in the form of a parking survey of Arnold Town Centre produced by 'Eye' consultants in February 2013 which found that there are 325 car parking spaces (excluding the existing informal car park on the site of the Druids) within the Town Centre. The survey reports that the average demand for parking spaces resulted in between 36 and 129 available spaces when the survey was undertaken in February 2013 which, the survey concludes, shows an additional capacity of between 29 and 83 spaces. The strategic reports produced by the Council and also analysis of its own car parking usage indicates that there is an over provision of car parking in Arnold Town Centre and that car parks are not used to full capacity.

I am mindful that the current proposal, although 0.3ha larger than previously approved, would provide 32 less parking spaces than the previously approved scheme. However, taking account of the 'eye' survey deposited with the application I am satisfied that there would be sufficient available parking spaces to meet demand even at peak times.

I therefore consider that the reduction in the number of car parking spaces would not have an adverse impact on the number of car parking spaces available in the Arnold Town Centre.

Policy T10 of the Replacement Local Plan advises that when considering proposals for new development, reference will be made to the Highway's Authority Highway Design and Parking guidelines. It adds that special attention will be given to providing parking spaces reserved for the disabled in all non-residential development. The subtext of this policy required that regard should be given to both highway safety and the need to ensure that urban areas are not made less attractive. Within the shopping centres new non-operational parking provision should be made available and designed to serve the centre as a whole.

Furthermore criterion c. of Replacement Local Plan Policy ENV1 requires that development proposals are to include adequate provisions for the safe and convenient access and circulation of pedestrians and vehicles. In this regard, particular attention will be paid to the needs of disabled people, cyclists, pedestrians and people with young children.

I am mindful that there is a slight increase in the site area of 0.3ha. Although the number of parking spaces would be less than previously approved the increase in site area would improve the ability of vehicles to manoeuvre within the car park.

I note the comments of the Highway Authority following the submission of the revised car park layout plan and that no objections are raised in principle to the proposed development providing conditions are attached to any planning permission in relation to the provision and modification of access and exit arrangements and visibility splays, the marking out of parking bays, details of construction and surfacing material, drainage, and the submission of details of a pedestrian refuge, associated road markings and lighting.

I also note that the Highway Authority raise no issues should the proposed car park and the existing car park on High Street be in operation at the same time in terms of material impact upon the adjacent roads, providing conditions are attached should planning permission be granted in relation to the provision of grey anti-skid surfacing together with a pedestrian refuge.

I therefore consider that the suggested conditions are reasonable and appropriate and should be attached to any consent.

Taking these comments into account I am satisfied that the proposal would not result in any undue impact upon highway or pedestrian safety.

Other matters

Sustainable Transport

Paragraph 30 of the NPPF requires that encouragement be given to support reductions in greenhouse gas emissions. Paragraph 35 of this document advises that development should protect and exploit opportunities for the use of sustainable transport modes and that where practical should be designed to incorporate facilities for charging plug in and other ultra-low emission vehicles.

I note that two of the parking bays contain electrical charging points and that cycle racks are proposed within the car park. I am therefore of the view that consideration has been given to providing opportunities to promote sustainable forms of travel to and from the Town Centre and the Secondary Shopping Area.

Crime and anti-social behaviour

Criterion d. of policy ENV1 of the Replacement Local Plan states that development should incorporate crime prevention measures in the design and layout in terms of good lighting levels, natural surveillance, defensible space and well considered layouts and landscaping. I note that the Nottinghamshire Police Force Architectural Liaison Officer has raised no concerns with regards to the proposal and am therefore satisfied that the layout of the proposed car park and lighting, together with the application site being well viewed from the public realm and overlooked by neighbouring residential properties, will assist in the prevention of the likelihood of crime and antisocial behaviour occurring.

Conclusion

Taking these considerations into account I am satisfied that the proposed use is acceptable in this location and that it would not have any undue impacts upon the vitality or viability of the Secondary Shopping area of Arnold Town Centre, neighbouring amenity, the streetscene and highway safety. The proposal therefore accords with the above national and local plan policies.

Recommendation:

To GRANT PLANNING PERMISSION subject to the following conditions:

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby approved shall be carried out in accordance with the approved plans (drg. nos. G11/CP1/HSA03A and G13/CP1/HSA06A) deposited on the 23rd May 2013, revised plans (drg nos. G13/CP1/HSA09A, G13/CP1/HSA11A) and landscaping plans in relation to planting areas 1, 2, 3 and 4 deposited on the 25th June 2013.
3. The proposed lighting and CCTV hereby approved shall be implemented and maintained in accordance with the details indicated on drg. nos. G13/CP1/HSA03A and G13/CP1/HSA06A and specifications deposited on the 23rd May 2013 unless otherwise agreed in writing by the Borough Council.
4. The landscaping scheme hereby approved shall be carried out in accordance with the details of planting areas 1-4 and drg. no. G13/CP1/HSA11A deposited on the 25th June 2013 in the first planting season following the substantial completion of the development and any planting material which becomes diseased or dies within five years of the completion of the

development shall be replaced in the next planting season by the applicants or their successors in title.

5. No part of the development hereby permitted shall be brought into use until the boundary wall hereby approved is erected in accordance with details indicated on the revised plan drg. no. G11/CP1/HSA03A deposited on the 23rd May 2013, thereafter the boundary wall shall be retained in accordance with the approved details for the lifetime of the development.
6. No development shall commence on any part of the application site until such time details of construction and surfacing materials to be used has been submitted to and approved in writing by the Borough Council. Works shall be completed in accordance with the approved details.
7. No part of the development hereby permitted shall be brought into use until access/exit arrangements including modification to the existing one (as shown on plan reference G11/CP1/HSA03A deposited on the 27th November 2012) are available for use and constructed in accordance with the Highway Authority specifications to the satisfaction of the Borough Council. The access/exit arrangements shall be maintained as such for the lifetime of the development.
8. No part of the development hereby permitted shall be brought into use until the access ways within the car parking layout, parking and turning areas as shown on the approved plans are surfaced in a hard bound material (not loose gravel). The access ways, parking and turning areas shall then be maintained in such hard bound material for the life of the development.
9. Prior to the development hereby approved first being brought into use, individual parking spaces shall be clearly marked out on site in accordance with the approved revised plan reference G11/CP1/HSA03A deposited on the 23rd May 2013. The parking spaces shall be kept available for parking in association with the development thereafter.
10. No development shall commence on any part of the application site until a pedestrian refuge in the close proximity of the site together with associated road markings and length of Grey anti-skid surfacing from the access point back to the Cross Street 'slip road' on High Street have been provided in accordance with details first submitted to and approved in writing by the Borough Council.
11. Pedestrian visibility splays of 2.0 metres x 2.0 metres shall be provided on each side of the vehicle access and exit points. These measurements are taken from edge of and along the highway boundary. The areas of land forward of these splays shall be maintained free of all obstructions at all times.
12. No part of the development hereby approved shall be brought into use until pedestrian footways have been provided within the hatched area adjacent to the entrance and exit points of the car park in accordance with details to be submitted to and approved in writing by the Borough Council. The pedestrian

footways shall thereafter be retained for the lifetime of the development in accordance with the approved details.

13. No part of the development hereby permitted shall be brought into use until the access ways, parking and turning areas are constructed with provision to prevent the unregulated discharge of surface water from the access way, parking and turning areas to the public highway in accordance with details first submitted to and approved in writing by the Borough Council. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. For the avoidance of doubt.
4. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
5. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
6. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
7. In the interests of highway safety.
8. In the interests of highway safety.
9. In the interests of highway safety.
10. In the interests of highway safety.
11. In the interests of highway safety.
12. In the interests of pedestrian safety.
13. To ensure surface water from the site is not deposited on the public highway causing dangers to road users.

Reasons for Decision

In the opinion of the Borough Council, the proposed development is appropriate in

this location and would have no undue impacts on neighbouring amenity or the street scene. There are no Highway safety implications. The proposal therefore complies with the National Planning Policy Framework (2012) and Policies ENV1, S4, S6 and T10 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.

Notes to Applicant

Please note that although the Plan reference G11/CP1/HSA03A indicates that access arrangements are indicative only, The Borough Council in determining this application have taken this to be the proposed access arrangements.

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.

You are advised that planning permission does not override any private legal matters which may affect the application site, over which the Borough Council has no jurisdiction (e.g. covenants imposed by former owners, rights of light, etc.).

You must ensure that during the construction period there will be no mud or debris transported onto the adjacent roads. It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.

In order to carry out alterations to the existing vehicular access and to construct a new access at a different location on High Street the applicant will be undertaking work in the public highway, on land over which you have no control. In order to undertake the works the applicant will need to enter into an agreement under Section 278 of the Act. Please contact Nottinghamshire County Council (Paul Ghattaora on telephone number 0115 9772117) at an early stage. You should also contact Paul Ghattaora at an early stage to discuss the appropriate process with regards to any other works within the public highway such as provision of new pedestrian crossing (pedestrian refuge) on High Street together with associated road markings, implementation of anti-skid surface which is normally carried out by our specialised team.

The attached permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance you are advised to obtain permission from the owner of the land for such access before beginning your development.