

Application Number: 2015/0051

Location: Kiosk, Arnot Hill Park, Arnold, Nottinghamshire.



NOTE:

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Report to Planning Committee

Application Number:	2015/0051
Location:	Kiosk, Arnot Hill Park, Arnold, Nottinghamshire.
Proposal:	Minor alterations to existing cafe building
Applicant:	Miss Kelly Charlseworth
Agent:	Mr Craig Gould
Case Officer:	Elizabeth Campbell

This application is brought to the Planning Committee because it relates to a Council owned building – The Kiosk in Arnot Hill Park, Arnold.

Site Description

The Kiosk is a single storey modern octagonal building in Arnot Hill Park near the lake. The building contains a take away cafe with service to an outside seating area and the public toilets. The building stands within Protected Open Space and on land, potentially at risk of flooding. Arnot Hill House is a grade II Listed building but the café does not form part of the listing as it was not built when Arnot Hill House was listed in 1987.

Proposed Development

The development, which is described as minor alterations, comprises the insertion of a window, 1600mm deep x 2400mm wide, facing the lake in connection with the creation of an area inside the building, currently part of a store room, for use as a café. The opening would have a vertically sliding security shutter with aluminium window behind to match the existing. The existing service hatch, which has a vertically sliding security shutter, would have a side sliding service window behind.

Consultations

A Site Notice has been posted and no representations have been received

Public Protection – no observations

Planning Considerations

In my opinion the main consideration in the determination of this planning application is the visual impact of the proposal on the surrounding area and the setting of the

listed building.

At the national level the National Planning Policy Framework (NPPF) (March 2012) is relevant. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF sees good design as a key element of sustainable development.

Paragraphs 132-141 (setting of a listed building) also applies.

Gedling Borough Council adopted the Gedling Borough Aligned Core Strategy (GBACS) on 10th September and this now forms part of the Development Plan along with certain saved policies contained within the Gedling Borough Replacement Local Plan 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 of which the Council must take account. The decision maker should decide what weight is to be given to the GBACS. In this instance significant weight has been given to the GBACS. However, should the GBACS be quashed I do not consider that a different recommendation would be reached given that the policies reflect the guidance contained within the NPPF. The following policy is relevant: -

Policy 10 – Design and Enhancing Local Identity

This policy reflects the guidance contained in the NPPF and Replacement Local Plan policies (see below)

Policy 11 – The Historic Environment

Policy 13 – Culture, Tourism and Sport – (d) which states that “where appropriate, existing tourism facilities will be protected and their further development will be supported”

Appendix E of the GBACS refers to the following saved relevant policy contained within the Gedling Borough Replacement Local Plan (certain policies saved) 2014:-

- ENV1 (Development Criteria);
- R1 (Protection of open space)

With respect to the visual impact on the character and appearance of the area the proposed alterations will match the existing and are considered appropriate. There are no residential properties nearby and it is not considered that the work will affect the setting of Arnot Hill House. The proposal will improve the café facility in this well frequented Public Park and enable it to be used for longer and throughout the year. The proposal will ensure that the open space is protected since the work only affects the existing building.

Taking these considerations into account, I conclude that the proposed development is visually acceptable and protecting this open space and a tourist facility and that it will not impact the amenities of any residential properties or affect the setting of a listed building. For these reasons I support this application.

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 new opening to the west shall have a profile, a reveal, a surround and shutters that shall match those within the existing openings.
3. This permission relates to the planning application, location plan (Rev 0) and existing elevations and layout plan (Rev 0) received on 20th January 2015 and the revised proposed elevations and layout plan received by email together with the additional information contained in the email both of which was received on 13th March 2015.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure a satisfactory development in accordance with the aims of Policies 10, 11 and 13 of the Aligned Core Strategy for Gedling Borough and Policies ENV 1 and R1 of the Gedling Borough Replacement Local Plan (certain policies saved) 2014
3. For the avoidance of doubt as to what is permitted

Reasons for Decision

In the opinion of the Borough Council the proposed development would not have an undue impact on the locality or a listed building and both protect a tourist facility and support its development. It would also help to protect this open space. The proposal therefore complies with ENV1 and R1 of the Gedling Borough Replacement Plan (certain policies saved) 2014 and Policies 10,11 and 13 of the Aligned Core Strategy for Gedling Borough (September 2014)

Notes to Applicant

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 and 187 of the National Planning Policy Framework