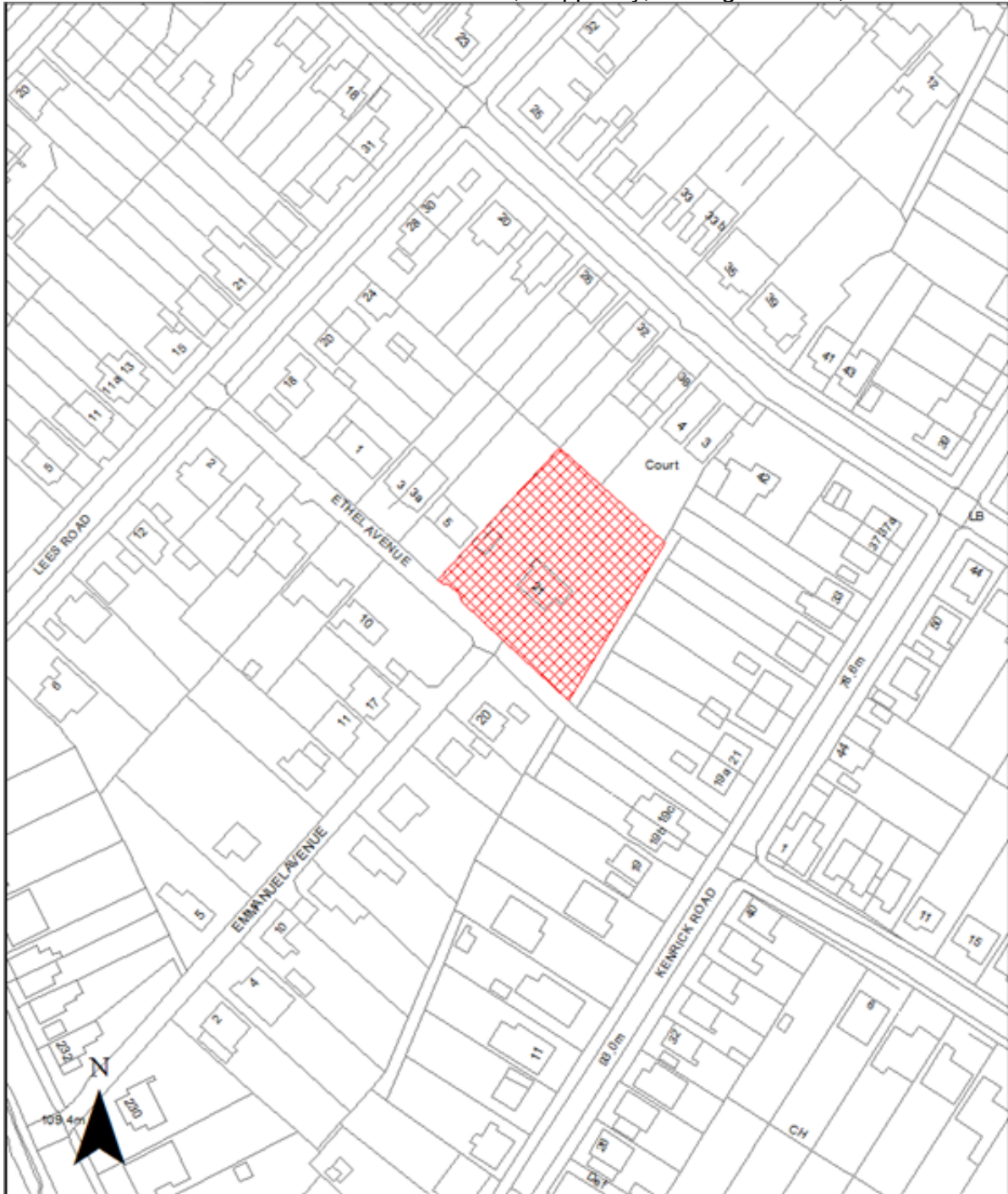




Application Number: 2014/0856

Location: 21 Ethel Avenue, Mapperley, Nottinghamshire, NG3 6HD.



NOTE:

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Report to Planning Committee

Application Number:	2014/0856
Location:	21 Ethel Avenue, Mapperley, Nottinghamshire, NG3 6HD.
Proposal:	Proposed demolition of 21 Ethel Avenue and erection of two dwellings.
Applicant:	Mr Lee Freeley
Agent:	Mr Richard Price
Case Officer:	Alison Jackson

Site Description

The application site relates to 21 Ethel Avenue, a bungalow with substantial garden land located within Mapperley. The rectangular site is approximately 0.16 hectares in area and slopes down from south to north. The property is situated at the junction of Ethel Avenue and Emmanuel Avenue, both narrow private roads. There is a further access track leading from the site to Kenrick Road between no.'s 19a and 19c Kenrick Road. The red edged plan submitted with the application incorporates Ethel Avenue and Emmanuel Avenue, and also the access track leading from Kenrick Road to Ethel Avenue.

The site has been cleared of all vegetation with the exception of a yew and larch tree at the front of the site and close boarded fencing 1.8 metres in height has been erected to the north and west boundaries. A 1.8m high fence has also been erected on the rear boundaries of properties fronting Kenrick Road.

The site is located within a residential area and adjoined by bungalows and two storey dwellings. Properties to the east on Kenrick Road and to the north on Hallam Road are on lower levels to the site.

Relevant Planning History

In March 2011 a Tree Preservation Order (Order No. 101) was made on the three trees, a Larch (T1), a Yew (T2) and a Maple (T3) located to the front of the site. Given their position and prominence, it was considered that the trees be protected to ensure they are not lost as a consequence of any future development.

In July 2013 the Maple tree was inspected by an Officer from Nottinghamshire County Council Arboricultural team and deemed to be dead, dying or dangerous and felled.

In May 2014 Planning Permission (App. No. 2014/0390) was refused for the demolition of the property and erection of 4 no. 4 bedroom detached dwellings for the following reasons:

1. In the opinion of the County Council as Highway Authority and the Borough Council, as Local Planning Authority, the access roads leading to the site are substandard in that they are of an inadequate width to allow two vehicles to pass and to provide satisfactory access for larger vehicles. Emmanuel Road also has a tortuous vertical alignment which makes vehicular movement in a slow and controlled manner very difficult. The increased use of such roads would result in an increase in the likelihood of unacceptable danger to the users of the highway. The proposed development is therefore contrary to Policies ENV1 and H13 of the Gedling Borough Replacement Local Plan (Certain Saved Policies) 2008.
2. In the opinion of the County Council as Highway Authority and the Borough Council, as Local Planning Authority, the access roads leading to the site are substandard in that they have a very tight right angled bend at the point where they join which restricts forward visibility. The increased use of such roads would result in an increase in the likelihood of unacceptable danger to the users of the highway. The proposed development is therefore contrary to Policies ENV1 and H13 of the Gedling Borough Replacement Local Plan (Certain Saved Policies) 2008.
3. In the opinion of the County Council as Highway Authority and the Borough Council, as Local Planning Authority, the proposed development would result in an increased number of vehicles using the sub-standard access roads which would be likely to adversely affect the safe unencumbered movement of pedestrians and as a consequence would increase the likelihood of pedestrian/vehicle conflict resulting in increased danger to users of the highway. The proposed development is therefore contrary to Policies ENV1 and H13 of the Gedling Borough Replacement Local Plan (Certain Saved Policies) 2008.
4. In the opinion of the Borough Council the proposed development would result in the unacceptable loss of trees that make an important contribution to the visual amenity of the area. The proposed development is therefore contrary to Policy ENV1(a) of the Gedling Borough Replacement Local Plan (Certain Saved Policies) 2008.
5. In the opinion of the Borough Council the proposed development would result in the unacceptable loss of residential amenity at 5 Ethel Avenue, due to the proximity of the dwelling proposed at plot 1 which would affect a first floor window positioned in the gable end of 5 Ethel Avenue and the overbearing impact that the projection of the dwelling on plot 1 would cause to the occupants of 5 Ethel Avenue. The proposed development would also lead to unacceptable overlooking from plot 4 towards the rear amenity area of plot 1. The impact on residential amenity that would be caused as result of the proposal would not accord with paragraph 9 of the National Planning Policy Framework which requires development to improve the conditions within

which people live.

In July 2014 Tree Preservation Order Consent (App. No. 2014/0586TPO) was refused to raise the crown and cut back overhanging vegetation over adjacent unadopted roadway of the Yew tree and to fell the Larch tree for the following reason:

1. The trees subject to this application are in good health and vigour. No supporting evidence has been submitted to warrant the felling of the Larch tree and the Yew tree is considered not to require significant works. Therefore, in the opinion of the Borough Council the proposed works are considered to be unnecessary in terms of good arboricultural practice.

A further application for identical works to the trees as above was submitted in November 2014 (App. No. 2014/1215TPO). This was refused for the same reason. An appeal against this decision was submitted to the Planning Inspectorate and was determined on the 29th May 2015. The appeal has been dismissed. The Inspector concluded that, whilst the larch tree has an untidy appearance, the upper section of the crown appeared healthy and can be viewed from the north-west and south-east. The larch tree should not be removed and its retention should be appropriately addressed as part of the outstanding planning application. With regards to the Yew the Inspector took the view that the proposed 5.2m clearance above highway level was excessive and the degree of pruning proposed would be detrimental to the appearance of the yew. Minor works to the tree may be appropriate.

Proposed Development

Full Planning Permission was originally sought for the demolition of 21 Ethel Avenue and the erection of 3 number 4 bedroom detached dwellings. Revised plans were submitted on the 16th July 2015 which proposed that the existing dwelling would be demolished and two dwellings erected on the site. Plot 1 as shown on the previous plans is therefore shown to be removed from the scheme with plots 2 and 3 as previously shown remaining but these plots have now, on the revised plans, been labelled as plots 1 and 2.

The application for the erection of three four bedroom dwellings on the site was due to be reported to the Planning Committee on the 17th June 2015. The application was deferred from this Committee pending the consideration of further information which was submitted by the applicant in respect to the width of the access from Kenrick Road.

The total plot measures a maximum of 45m in width to the frontage on Ethel Avenue and 42m in depth. An area of land, adjacent to No. 5 Ethel Avenue, and measuring some 9m in width x 23m in depth has been excluded from the application.

Plot 1 is a detached two storey dwelling with integral double garage. Maximum dimensions of the dwelling are 12m in width x 10.8m depth x 5.4m to eaves with hipped and gabled roofs over (maximum ridge height 8.8m above ground level).

Plot 2 is a detached 'L' shaped two storey dwelling with integral double garage

occupying the northern end of the site. Maximum dimensions of the dwelling are 11.5m in width x 17.7m depth x 5.4m to eaves with hipped and gabled roofs over (maximum ridge height 8.8m above ground level).

Both of the revised plots are proposed to be accessed from Ethel Avenue and Emmanuel Avenue.

A previous access from Kenrick Road was proposed to access the site to the originally proposed plot 1, this has been removed from the scheme and the revised plan received on the 13th August 2015 shows an amended red line plan which shows the revised extent of the application site.

A Transport Statement, Tree Survey and Streetscene view were submitted with the application.

Notice has been served on all occupiers of premises along the proposed access routes up to the public highway as landowners. A Press Notice was also placed in the Nottingham Evening Post on the 24th October 2014 and Certificate D completed.

Following further discussions with this office the Agent also submitted revised plans ET-1001 Rev F and G indicated the root protection zones of the Yew and Larch on the plans and proposing a replacement Maple tree.

The Borough Council received a letter on the 7th April 2015 from John Kent Solicitors acting on behalf of the applicant regarding the access from Kenrick Road, the Ethel Avenue/Emmanuel Avenue junction, and private easements over the land.

Consultations

Nottinghamshire County Council (Highway Authority) –

The following comments are made on the previous revised proposal which has been submitted. The drawing on which the comments are made is entitled 'Proposed Site Plan', drawing no. ETH-1001, revision E.

It has come to the attention of the Highway Authority that the access that runs between 19a and 19c Kenrick Road has pedestrian access rights for the general public. This is in addition to those which would be accessing the dwelling annotated as plot 1 on the submitted plan.

The Highway Authority has concerns with regards to the substandard width of the access to allow safe movement of pedestrians. The proposed development would result in vehicles using the narrow access, and that this would adversely affect the safe unencumbered movement of pedestrians using the access.

Taking into account the above, and in light of the new information, the Highway Authority recommends that vehicle access from Kenrick Road to serve plot 1 is removed from the scheme. Also, the applicant has previously been made aware that the Highway Authority has recommended that no more than 2 dwellings should be provided with direct access to Ethel Avenue and Emmanuel Avenue so as not to

have a detrimental impact on the roads and associated junctions onto the adopted highway. The Highway Authority therefore recommends that the number of dwellings on the site should be reduced to two.

If no alterations are made to the currently submitted scheme, then the Highway Authority objects to the proposal for the following reason:

- The proposed development would result in vehicles using a sub-standard access to Kenrick Road which would adversely affect the safe unencumbered movement of pedestrians and as a consequence would result in pedestrian/vehicle conflict to the detriment of pedestrian safety.

In respect to the revised plans received on the 16th July 2015 the Highway Authority stated that there are no objections to the proposals providing the access arrangements, the parking and turning facilities are all provided in accordance with the submitted plans.

Nottinghamshire County Council (Forestry Manager) – The revised plans show a safer option of the retention of the protected trees. Full and accurate details of the treatment of the land within the root protection zones is needed to ensure that inadvertent landscape related damage does not occur. Suggest that the area including the root protection zones of the trees is made level with root collars of the protected trees. Screened top soil should be imported to fill in any undulations/voids to make the area more visually acceptable. No machinery or excavation should be utilised as part of this operation.

In respect to the revised plans received on the 16th July 2015 no further comments were raised.

Nottinghamshire County Council (Rights of Way) – The County Council is considering a claim for a public bridleway between Kenrick Road and the Ethel Avenue/ Emmanuel Avenue junction. The proposed sharing of access with vehicles going to and from Plot 1 is unacceptable on safety and amenity grounds. The provision of a metalled access would also destroy the character of what is currently best described as a 'green lane' and therefore adversely affect public enjoyment of this route.

Nottinghamshire Wildlife Trust – From the available documents it is not possible to determine the age and structure of the building proposed to be demolished to determine if the building is suitable for roosting bats. We would advise as a precautionary measure that a scoping survey for bat roost potential is undertaken by a competent ecologist on all relevant structures on site, with further surveys to be conducted at the correct time of year if required. Also advise that nesting birds should be considered.

Severn Trent – No objection.

Ramblers Association – Object, there is a right of way across the development and one of the properties to be developed proposes to use this right of way as an access path. Ask that any proposed development on the site protects the right of way path.

Local residents have been notified and the application has been advertised on site – 29 responses objecting to the proposal, and 1 in support, have been received as a result, in summary:

- Impact on Public Right of Way.
- Public Right of way is currently blocked.
- A petition signed by more than 140 local residents in support of the preservation of the path has been submitted to Nottinghamshire County Council.
- It is illegal to drive on a Public Bridleway.
- Ownership issues.
- Highway and pedestrian safety.
- Impact on highway safety and issues relating to the narrowness and steepness of the access road.
- Increase in traffic through the site.
- Refuse lorry/emergency vehicle access.
- Loss of trees and wildlife.
- Impact on protected trees.
- Question future development.
- Suggest fewer dwellings may be acceptable.
- Question accuracy of transport data.
- Impact on the visual and residential amenity of the area
- Over intensive development.
- Overbearing impacts.
- Overlooking impacts.
- Overshadowing impacts.
- Loss of privacy.
- Trees already have been removed.
- Flood risk and drainage issues.
- Increased noise and carbon pollution.
- Damage during construction.
- A letter has been received on behalf of the Friends of Ethel Avenue concerning the boundary fence that has been erected on the east side of Allen Avenue; covenants over the right of way; inadequacy of width of proposed access from Kenrick Road, and that no rights of vehicular access exist over this proposed access.
- Development will be a benefit to local community and economy.
- Add value to the local area.
- Remove any uncertainty over future development.

Local residents were consulted in respect to the revised plans received on the 16th July 2015. Ten additional letters were received as a result which raise the following concerns:

- Poor layout and design.
- The entire site is compromised by the siting of the proposed two dwellings now proposed.
- Out of keeping with the area.
- Out of scale.

- Overlooking impact.
- The fencing on the site is unsightly.
- Some of the land remains unused which is a poor use of the land. Further planning applications may be submitted for the use of these areas of land.
- Too close to neighbouring properties.
- Insufficient turning space within the site.
- No details have been submitted relating to replacement trees on the site.
- Overintensive.
- Loss of green space and trees.
- Impact on wildlife.
- Highway safety issues.
- It was agreed that any damage to the surface of the road would be fully repaired and a new tarmac surface would be laid, however there is no mention of this on the submitted plans.
- Is any maintenance and damage caused to the road the responsibility of the Council.
- Concerns over the naming of the access road.
- Concerns over the access along the right of way.
- The layout should incorporate all the land and not have what look like plot fenced off.
- Increase in traffic.
- Impact on neighbouring properties.
- Plans are vague, misleading and inaccurate.
- Queries over land ownership.
- The proposal would prevent the use of the access from Ethel Avenue to Kenrick Road and Emmanuel Avenue.
- Previous comments reflected.

Planning Considerations

The main planning considerations in the determination of this application are whether the proposed development is acceptable in this location having regard to residential amenity, the character of the area, highway safety and the impact on protected trees.

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

- Section 6. Delivering a wide choice of high quality homes (paragraphs 47 – 55); and
- Section 7. Requiring good design (paragraphs 56 – 68).

At the local level, Gedling Borough Council at its meeting on 10th September 2014 approved the Aligned Core Strategy (ACS) for Gedling Borough which is now part of the development plan for the area. The following policy contained within the ACS is relevant.

- ACS Policy 10 - Design and Enhancing Local Identity.

Appendix E of the ACS refers to the Saved Policies from Adopted Local Plan. The following policies contained within the Gedling Borough Council Replacement Local

Plan (Certain Policies Saved) 2014 are relevant: -

- RLP Policy ENV1 (Development Criteria);
- RLP Policy H7 (Residential Development on Unidentified Sites Within the Urban area and Defined Village Envelopes); and
- RLP Policy T10 (Highway Design and Parking Guides).

The Government attaches great importance to the design of the built environment. Section 7 of NPPF states inter alia that good design is a key aspect of sustainable development and that it should contribute positively to making places better for people. Developments should function well and add to the overall quality of the area, respond to local character and history, reflecting the identity of local surroundings and materials and be visually attractive as a result of good architecture and appropriate landscaping.

Policy 10 – 1 of the ACS states inter-alia that development should be designed to:

- a) make a positive contribution to the public realm and the sense of place;
- b) create attractive, safe, inclusive and healthy environment;
- c) reinforce valued local characteristics;
- d) be adaptable to meet changing needs of occupiers and the effects of climate change; and
- e) reflect the need to reduce the dominance of motor vehicles.

Policy 10 – 2 of the ACS sets out the criteria that development will be assessed including: - plot sizes, orientation, positioning, massing, scale, and proportion. Criterion f) of the ACS refers to the impact on the amenity of nearby residents.

Policy ENV1 of the Replacement Local Plan is relevant in this instance. This states that planning permission will be granted for development provided it is in accordance with other Local Plan policies and that proposals are, amongst other things, of a high standard of design which have regard to the appearance of the area and do not adversely affect the area by reason of their scale, bulk, form, layout or materials. Development proposals should include adequate provisions for the safe and convenient access and circulation of pedestrians and vehicles and incorporate crime prevention measures in the design and layout.

In respect to car parking, regards should be had to the Borough Council's Supplementary Planning Document 'Parking Provision for Residential Developments' (May 2012).

Impact on the Character and Appearance of the Area

Given the location of the site at the head of Emmanuel Avenue and its junction with Ethel Avenue, I consider the layout of the development would not appear out of character or adversely affect the appearance of the area. There is a mix of property styles in the area and therefore I do not consider that the proposed development would be out of keeping with the area. If the development were to go ahead, site levels on the site would be altered, a condition could be attached requiring the submission of proposed site levels prior to development being carried out.

Impact on Residential Amenity

As a result of the form of existing development in the area and the distances between them I do not consider that there would be any adverse loss of amenity to the nearest residential properties on Ethel Avenue, Emmanuel Avenue, Kenrick Road or Hallam Road in terms of undue overlooking, overshadowing or overbearing impacts. To safeguard amenity a condition could be attached restricting any further windows within the proposal.

Whilst there is likely to be an increased amount of traffic activity, both during the construction period and afterwards, in relation to that generated by the site at the present time, I am satisfied that the proposed development would not have any significant adverse impact on nearby properties due to the level of activities on the site or the level of traffic generated.

Impact on protected trees and landscaping

I note that the revised illustrative layout demonstrates the plotting of the trees and their root protection zones within the site. The nearest proposed dwelling is some 13 metres from the base of the trees and the new access road as now proposed will not encroach on the root protection zones of the trees. I am mindful that traffic using the existing road already impacts on the root protection zones. It will therefore be necessary to ensure that the existing trees are adequately safeguarded. I consider that a condition could be attached to any permission detailing a method statement to include precise details of construction works within the root protection areas of the trees, including detailing any pruning and protection works required to facilitate access and construction. Approval of levels across the site could be required by condition too.

I note additional tree planting is proposed to mitigate for the loss of existing trees and a landscaping condition could be attached to any permission.

An area of land to the east side of the site has been excluded from the site and is shown to be fenced off with 1.8m high fencing. If left vacant I consider that this would have a detrimental visual impact on the area, however a condition could be attached to any permission requiring precise details of the landscaping and means of enclosure of this area if approval were to be given.

Having regard to the above considerations I am of the opinion that the development will have an acceptable impact on the protected trees and the visually amenity of the area.

Impact on Highway Safety and Rights of Way

I note that the Highway Authority in respect to the originally submitted plans objected to the application as the proposed development would result in vehicles from Plot 1 using the narrow access to Kenrick Road and due to the substandard width of this access this would adversely affect the safe unencumbered movement of pedestrians and as a consequence would result in pedestrian/vehicle conflict to the detriment of pedestrian safety.

Measured on site, the width of Ethel Avenue where it meets Kenrick Road is some 2.7m between the boundary fence and the concrete post. The Avenue does widen out as it extends towards 21 Ethel Avenue however the majority of the length remains narrow. The County Highways Officer has advised that an appropriate width would be 3.75m for a significant portion of the vehicle access, to allow pedestrians and vehicles to pass safely. I note that there is a substantial hedge on the boundary, however the hedge is not impeding on any pedestrian through route that exists along Ethel Avenue. I consider that, even if the hedge was to be cut back, there would still be insufficient space, and no available passing points, for vehicles and pedestrians to pass safely. I am also mindful that there is a camber running across the access and a significant rise in gradient where the Avenue nears no. 21 Ethel Avenue.

I am mindful that the Highway Authority has recommended that no more than 2 dwellings should be provided with direct access to Ethel Avenue and Emmanuel Avenue so as not to have a detrimental impact on the roads and associated junctions onto the adopted highway.

Nottinghamshire County Council as Rights of Way Authority are currently dealing with a claim to make the Avenue from the junction of Ethel Avenue and Emmanuel Avenue to Kenrick Road a bridleway (Carlton Parish Public Bridleway) and have advised that the Avenue should be treated as a substantive right of way. I note the owners of the land on the Carnarvon Allotments and their successors in title have rights of way over the potential bridleway. There are therefore a substantive number of people who potentially have the right to use the Avenue.

I would therefore concur with the comments of the County Highways Officer that the proposed development would result in vehicles using a sub-standard access to Kenrick Road which would adversely affect the safe unencumbered movement of pedestrians and as a consequence would result in pedestrian/vehicle conflict to the detriment of pedestrian safety.

I note however following the receipt of the revised plans on the 16th July 2015 and the revised layout plan received on the 13th August 2015 which showed the omission of the proposed access from Kenrick Road, the Highway Authority has raised no objections to the proposed development of the site with two dwellings. I am therefore satisfied that the revised plans overcome the previous concerns raised by the Highway Authority and I am satisfied that the proposed development of the site will result in no undue impact on highway safety in respect to both pedestrians and vehicles.

When considering car parking provision for the new development the Borough Council Parking Provision for Residential Developments Supplementary Planning Document (SPD) is relevant. I note that the SPD requires 2 no. car parking space to serve a four bedroom dwelling in a built up area, as such the off street car provision is in line with the guidance set out within the SPD.

Other issues

I note comments raised in relation to the red line and ownership issues. The plans have been amended to exclude the strip of land running along the backs of the properties fronting Kenrick Road. The ownership of this strip of land is unknown.

I note that Nottinghamshire Wildlife Trust has requested that a scoping survey for bat roost potential is undertaken by a competent ecologist on all relevant structures on site, with further surveys to be conducted at the correct time of year if required, and that nesting birds are considered. In my opinion, protected species surveys could be requested by condition. The landowner would also need to comply with the Wildlife and Countryside Act 1981 (as amended) at all times.

With regards to flood risk and drainage issues I would suggest that this could be dealt with by a condition attached to any permission requiring the submission of drainage plans for approval by the Borough Council.

With regards to access for the Fire and Rescue Service the development would need to comply with Approved Document B – Fire Safety, administered under Building Regulations Approval. This could be dealt with through an advisory note as part of an approval.

I am satisfied that any adverse noise or pollution issues which may arise can be controlled under Environmental Health legislation.

I note that an area of land has been excluded from the application. Any future application for housing development on Ethel Avenue would be dealt with on its own merits at that time.

Any damage caused to neighbouring properties during construction would be a private legal matter between the parties concerned.

The impact on properties values is not a material planning consideration in the determination of the application.

The application has been advertised in accordance with Gedling's Statement of Community Involvement.

Conclusion

I am satisfied that the development of the site with two dwellings with their access from Ethel Avenue and Emmanuel Avenue and the Kenrick Road access omitted from the scheme, the proposed development of the site is acceptable from a highway safety viewpoint. I am also satisfied, as set out above, the development will result in no undue impact on neighbouring properties or the area in general. Conditions however will need to be attached to any grant of planning permission in order to ensure a satisfactory development.

Recommendation:

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 shall be built in accordance with the details as set out within the application forms received on the 17th July 2014, the Transport Statement and the Tree Survey received on the 17th July 2014 and the revised plans received on the 16th July 2015 and the 13th August 2015.
3. Before development is commenced there shall be submitted to and approved by the Borough Council precise details and samples of the materials to be used in the external construction of the proposed dwellings. Once these details are approved the dwellings shall be built and retained thereafter in accordance with the approved details unless otherwise agreed in writing by the Borough Council as Local Planning Authority.
4. Before development is commenced there shall be submitted to and approved by the Borough Council precise details of the existing levels of the site together with the finished floor levels of the dwellings. Once these details are approved the dwellings shall be built in accordance with the approved details unless otherwise agreed in writing by the Borough Council as Local Planning Authority.
5. Before development is commenced there shall be submitted to and approved by the Borough Council details of the means of enclosure of the site and the individual plot boundaries. The approved means of enclosure shall be erected before the dwellings are first occupied and shall thereafter be retained unless alternative means of enclosure are agreed in writing by the Borough Council as Local Planning Authority.
6. Before development is commenced there shall be submitted to and approved by the Borough Council precise details of the means of surfacing of the unbuilt on portions of the site. Once these details are approved the development shall be carried out and retained thereafter in accordance with the approved details and be completed in accordance with these approved details before the dwellings are first occupied.
7. Before development is commenced there shall be submitted to and approved by the Borough Council a plan of the site showing the details any proposed planting on site as well as details of the existing planting to be removed or retained. The approved details shall be carried out 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.
8. Before development is commenced there shall be submitted to and approved by the Borough Council a scaled plan of the site showing the precise details of

the proposed fencing and planting proposed to the area shown on the revised plans outlined in blue which is adjacent to the application site. Once these details are approved the fencing shall be erected before the proposed dwellings are first brought into use and retained thereafter at all times. The proposed landscaping shall be carried out 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.

9. Before development is commenced there shall be submitted to and approved by the Borough Council a method statement showing how the existing trees at the site will be safeguarded during site preparation and the development of the site. This shall include precise details of construction works within the root protection areas of the trees, including details of any pruning and protection works required to facilitate the access and development of the site. Once these details have been approved the development, including site preparation, shall be undertaken in accordance with the approved details unless otherwise agreed in writing by the Borough Council as Local Planning Authority.
10. Before development is commenced there shall be submitted to and approved in writing by the Borough Council as Local Planning Authority a Drainage Statement which outlines the measures that would be put in place in order to deal with surface water run-off from the site and details of how the development of the site will ensure that there is no increase in flood risk to the site, neighbouring properties or the area in general. Once these details are approved the development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Borough Council as Local Planning Authority.
11. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Borough Council as Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
12. The first floor windows to the north east side elevation of the dwelling to plot 2 which serve a bathroom and en-suite shall be obscure glazed with small top hung opening windows at all times. No additional windows shall be inserted in this first floor north east side elevation of the dwelling at any time.
13. No windows shall be inserted in the first floor north west front elevation of the dwelling to plot 2 at any time.
14. No works permitted under Class A, B, C and E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order) shall be undertaken without the prior written permission of the Borough Council as Local Planning Authority.

15. No part of the development hereby permitted shall be brought into use until the vehicle access arrangements, parking and turning areas are provided in accordance with the submitted details. The vehicle access arrangements, parking and turning areas shall thereafter be retained as such for the life of the development.
16. No part of the development hereby permitted shall be brought into use until the site access/ drives and any parking or turning areas are surfaced in a hard bound material (not loose gravel). The access/surfaced drives and any parking or turning areas shall then be maintained in such hard bound material for the life of the development.
17. No part of the development hereby permitted shall be brought into use until the access driveway/parking/turning areas are constructed with provision to prevent the unregulated discharge of surface water from the driveway/parking/turning areas to the public highway in accordance with details first submitted to and approved in writing by the Borough Council as Local Planning Authority. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
18. Before development, including site preparation, is commenced there shall be submitted to and approved in writing a protected species survey in respect to the potential presence of bats on the site. Once these details are approved the recommendations with the survey shall, be adhered to and any mitigation measures implemented.

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 that the materials are appropriate and result in a visually satisfactory development, in accordance with the aims of Policy 10 of the Aligned Core Strategy 2014.
4. To ensure that the dwellings are visually acceptable within the streetscene and have an acceptable relationship with neighbouring properties, in accordance with the aims of Policy 10 of the Aligned Core Strategy 2014.
5. To ensure that the materials are appropriate and result in a visually satisfactory development, in accordance with the aims of Policy 10 of the Aligned Core Strategy 2014.
6. To ensure that the materials are appropriate and result in a visually satisfactory development, in accordance with the aims of Policy 10 of the Aligned Core Strategy 2014.

7. To ensure that the details of the development are visually acceptable, in accordance with the aims of Policy 10 of the Aligned Core Strategy 2014.
8. To ensure that the details of the development are visually acceptable, in accordance with the aims of Policy 10 of the Aligned Core Strategy 2014.
9. To ensure that the trees are protected at all times and the site remains visually acceptable, in accordance with the aims of Policy 10 of the Aligned Core Strategy 2014.
10. To ensure the details of the development are satisfactory and do not increase the risk of flooding in the area.
11. To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.
12. To prevent the overlooking of the neighbouring properties, in accordance with the aims of Policy 10 of the Aligned Core Strategy 2014.
13. To prevent the overlooking of the neighbouring properties, in accordance with the aims of Policy 10 of the Aligned Core Strategy 2014.
14. To ensure that the amenity of neighbouring properties is protected, in accordance with the aims of Policy 10 of the Aligned Core Strategy 2014.
15. In the interests of highway safety.
16. In the interests of highway safety.
17. In the interests of highway safety.
18. To ensure that the development does not result in a detrimental impact on any protected species at the site.

Reasons for Decision

The proposed development of the site results in no undue impact on neighbouring properties, the area in general and there are no highway safety implications arising from the proposal. The proposal therefore accords with policies contained within the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014), the National Planning Policy Framework March 2012 and the Aligned Core Strategy for Gedling Borough 2014.

Notes to Applicant

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.

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 of the need to comply with the Wildlife and Countryside Act 1981 (as amended) at all times in respect to protected species and nesting birds.

You are advised in regard to access for the Fire and Rescue Service that the development would need to comply with Approved Document B - Fire Safety, administered under Building Regulations Approval.

The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework. Negotiations have taken place during the consideration of the application to address any adverse impacts identified. Amendments have been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.