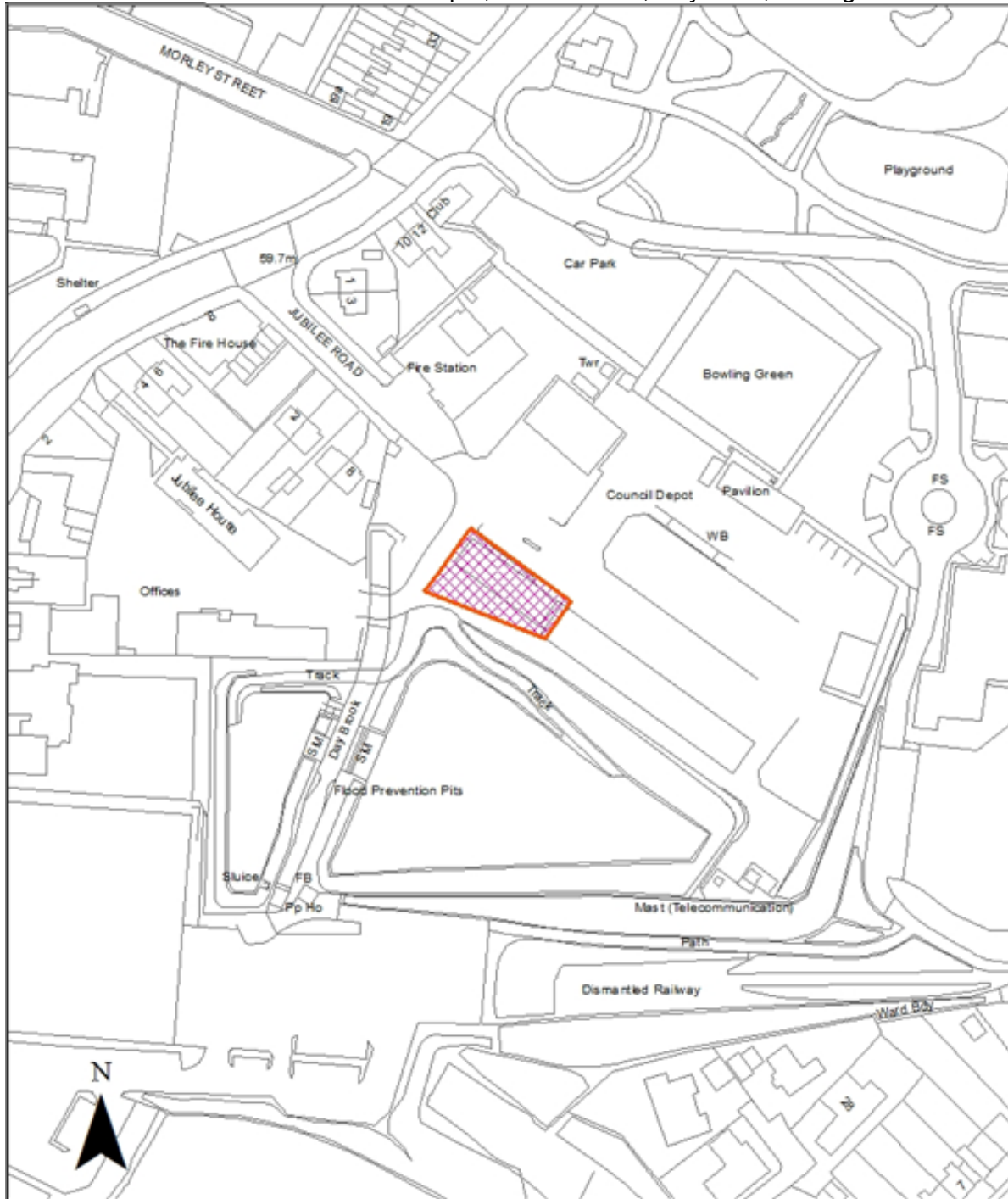




Application Number: 2015/1012

Location: Jubilee Depot, Jubilee Road, Daybrook, Nottinghamshire.



NOTE:

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Report to Planning Committee

Application Number:	2015/1012
Location:	Jubilee Depot, Jubilee Road, Daybrook, Nottinghamshire.
Proposal:	New modular 2 storey building to replace old tyre store, canteen and toilet block.
Applicant:	Gedling Borough Council
Agent:	Mr S Wiseman
Case Officer:	Ashley Langrick

The applicant is Gedling Borough Council and therefore, in line with the Council's Constitution, this application has been referred to Planning Committee.

Site Description

The application site is located within the confines of Gedling Borough Council's Jubilee Depot and presently comprises a series of single storey buildings and structures used to store tyres and provide staff welfare facilities. The existing buildings are constructed from a range of materials including red brick, steel containers and cladding.

Vehicular access to the overall depot site, including the application site, is from Jubilee Road.

The nearest residential property lies some 30 metres from the application site on Jubilee Road.

With regard to the Proposals Map of the Gedling Borough Replacement Local Plan, the site is located with the urban residential area of Daybrook and was previously within an Area Potentially at Risk of Flooding but that policy designation was not saved as part of the Development Plan. With reference to the Environment Agency's Flood Maps the site is located within a Flood Zone 3 owing to the proximity of the site to the Day Brook.

Proposed Development

Full planning permission is sought for the erection of a new modular 2 storey building to replace a series of existing buildings and structures in order to provide welfare facilities, a canteen, toilet block and office space. The proposal measures 15.5 metres in length by 9.5 metres in width with an overall height of 7.2 metres with a

shallow pitched roof to enable effective surface water drainage.

The building is steel framed with clad sheet steel walls with a pre-finished 'leathergrain' plasticol topcoat. The ground and first floors are proposed to be finished in contrasting colours.

Car parking already exists on the site and the development does not involve increasing the number of staff working in the wider Jubilee Depot. Notwithstanding this, the proposal provides 8 additional car parking spaces directly outside the building for use of staff only.

Consultations

Nottinghamshire County Council (Highway Authority) – No objections.

Public Protection – The site has had a history of 'industrial' land uses (in this case as a Depot) and therefore there is a risk that demolition and any subsequent excavations may reveal material which may be contaminated by past industrial processes. As such, an informative with regard to unexpected contamination is requested.

Environment Agency – No objection subject to the imposition of a planning condition requiring the finished floor level to be set no lower than 300mm above the adjacent external ground levels.

Severn Trent Water Ltd – No comments received.

Neighbouring Properties were notified and a Site Notice posted. No letters of representation have been received as a result.

Planning Considerations

The main planning considerations in the determination of this application are the principle of the proposal, the impact of the proposal on the residential amenity of nearby properties, the design and visual amenity of the proposal and the potential flood risk owing to the site's location within Flood Zone 3.

The relevant national policy guidance in respect of these matters is set out in the National Planning Policy Framework (March 2012). At the heart of the NPPF is a presumption in favour of sustainable development. The core principles set out in the guidance states at paragraph 17: -

Planning should:

- 'proactively drive and support sustainable economic development to deliver homes, business and industrial units, infrastructure and thriving local places that the country needs';
- 'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings';
- 'encourage the effective use of land by reusing land that has been previously

developed (brownfield land), provided that it is not of high environmental value’;

- ‘actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable’.

In particular the following chapters are relevant in considering this application:

1. Building a strong, competitive economy (paragraphs 18 - 22)
7. Requiring good design (paragraphs 56 – 68)

When delivering sustainable development paragraph 19 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. Therefore significant weight should be placed on the need to support economic growth through the planning system.’

With regard to design, paragraph 56 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 should contribute positively to making places better for people’.

Gedling Borough adopted the Aligned Core Strategy (ACS) on 10th September 2014 and this now forms part of the Development Plan along with certain policies saved contained within the Gedling Borough Council Replacement Local Plan referred to in Appendix E of the ACS.

The following ACS policies are relevant:

- Policy A: Presumption in Favour of Sustainable Development
- Policy 2: The Spatial Strategy
- Policy 10: Design and Enhancing Local Identity

Policy 10 of the ACS looks at design and enhancing local identity and reflects the guidance contained in both the NPPF and the Replacement Local Plan policies.

Policy ENV1 ‘Development Criteria’ of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2008) is also a relevant material consideration in the determination of this application.

Criteria a. b. c. and f. of ENV1 state that, ‘Planning permission will be granted for development provided it is in accordance with other Local Plan policies and the proposals meet the following criteria, amongst other things, it is of a high standard of design which has regard to the appearance of the area and does not adversely affect the area by reason of its scale, bulk, form, layout or materials; it would not have a significant adverse effect on the amenities of adjoining occupiers or the locality in general, by reason of the level of activities on the site or the level of traffic generated;

development proposals are to include adequate provisions for the safe and convenient access and circulation of pedestrians and vehicles; and it incorporates best practice in the protection and management of water resources.'

In making a recommendation in relation to this application, regard has been given to the above legislation and policy and as a result it has been determined that the main planning considerations in relation to this proposal are: -

- a) The principle of developing the site;
- b) Whether there would be an adverse impact on neighbouring properties;
- c) Whether the design of the development is acceptable;
- d) the potential flood risk owing to the site's location within Flood Zone 3

Each of the above aspects are considered in detail below.

The principle of the development

The site is located within the urban residential area of Daybrook within the grounds of Gedling Borough Council's existing Jubilee Depot. The site is also within walking distance of good public transport links into Nottingham City by way of regular bus services.

Given the location of the development, the proposal would deliver sustainable economic development on previously developed land. The proposal therefore accords with the requirements of the NPPF and Policies A and 2 of the ACS which adopts a strategy of support towards sustainable development and urban concentration with regeneration.

The redevelopment of the site is therefore considered acceptable in principle.

Residential amenity

The nearest dwelling house (8 Jubilee Road) lies approximately 41 metres from the proposed building. This is considered to be a sufficient distance to prevent there being any potential adverse impact on residential amenity by way of overlooking, overshadowing or massing effect. The proposal will also replace a series of existing buildings which are some 9 metres closer than the proposal, albeit those are single storey in nature.

In addition, the facing elevation of the nearest dwelling house is a side elevation and the property is bound by an approximately 2 metre high concrete panel fence.

I am therefore satisfied that the juxtaposition of the neighbouring residential property to the proposal, as well as the intervening distance between the two is sufficient to prevent any undue impact on the residential amenity. I am of the opinion that the proposal complies with criteria b. of Policy ENV1.

Whether the design of the development is acceptable

The proposal lies within the confines of the wider Jubilee site within which there is a

range of building types and designs commensurate with a Council Depot.

Bearing in mind the above, I am of the opinion that the proposal is of an appropriate size and design which will not be significantly out of character with the appearance of the immediate area. I am also satisfied that the proposals will serve to enhance the facilities on site, as well as being a visual improvement to the existing buildings which are to be removed as part of the proposal.

Having considered the overall design of the proposal and its specific location on the depot site, it is my opinion that the proposal would satisfy the design criteria of Policies ENV1 of the Replacement Local Plan and Policy 10 of the ACS.

Flood risk

The entire application site is located within indicative Flood Zone 3 in accordance with the Environment Agency's Flood Maps.

Notwithstanding the above, the site is previously developed and the proposal will rationalise a range of existing buildings and structures to create one modular building with a reduced overall development footprint.

I am therefore of the opinion that the proposal will not introduce any greater level of flood risk than the existing development. In this regard, the Environment Agency has no objection subject to the inclusion of a planning condition requiring the finished floor level of the proposal to be set no lower than 300mm above the adjacent external ground levels. It also suggests a further planning condition is imposed requiring the applicant to consider all appropriate flood resilient design and construction techniques and shall give consideration to the recommendations of the Environment Agency and DEFRA Report, 'Improving the flood performance of New Buildings – Flood Resilient Construction'. With regard to the latter requirement, it would not be appropriate to control this via a planning condition but to provide the advice as an informative on any Decision Notice to approve.

Turning to access, highway safety and parking provision, the proposal is not considered to introduce any adverse impact owing to the existing nature of the overall site.

Conclusion

Given all of the above, it is considered that the proposal represents a sustainable form of economic development which will improve working arrangements for the Council's Waste Collection Services by providing office and welfare facilities that are fit for purpose. I am of the opinion that the proposed development would comply with the relevant planning policies that are set out above insofar as design, amenity and flood risk are concerned. On this basis I recommend that Planning Committee grants planning permission.

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 carried out in complete accordance with the plans and drawings received on 6th August 2015 which are attached to and form part of this permission unless otherwise agreed in writing by the local planning authority.
3. The development permitted by this planning permission shall be carried out in accordance with the approved Design and Access Statement and the following mitigation measures: The internal finished floor levels shall be set no lower than 300mm above the adjacent external ground levels. The mitigation measures shall be fully implemented prior to occupation.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure that the development is carried out in accordance with the details as approved.
3. To reduce the risk of flooding to the proposed development and future occupants.

Reasons for Decision

In the opinion of the Borough Council the proposed development is visually acceptable, results in no significant impact on neighbouring properties, and introduces no flood risk concerns. The proposal therefore accords with the requirements of the National Planning Policy Framework, Policy 10 of the Aligned Core Strategy (2014) and ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).

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.

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

Policy Framework. During the processing of the application there were no problems for which the Local Planning Authority had to seek a solution in relation to this application.

It is noted that the applicant intends to select contrasting colours for the wall cladding of the proposal at ground and first floor. Whilst it is not considered necessary to impose a planning condition to agree the precise colour of the material with the Local Planning Authority, owing to the location of the site within the confines of the depot, the applicant is informed that the use of more subtle colours would be appropriate.

In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements of the Local Planning Authority, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.

The applicant shall consider all appropriate flood resilient design and construction techniques and shall give consideration to the recommendations of the Environment Agency and DEFRA Report, 'Improving the flood performance of New Buildings - Flood Resilient Construction' (ISBN 9781859462874).