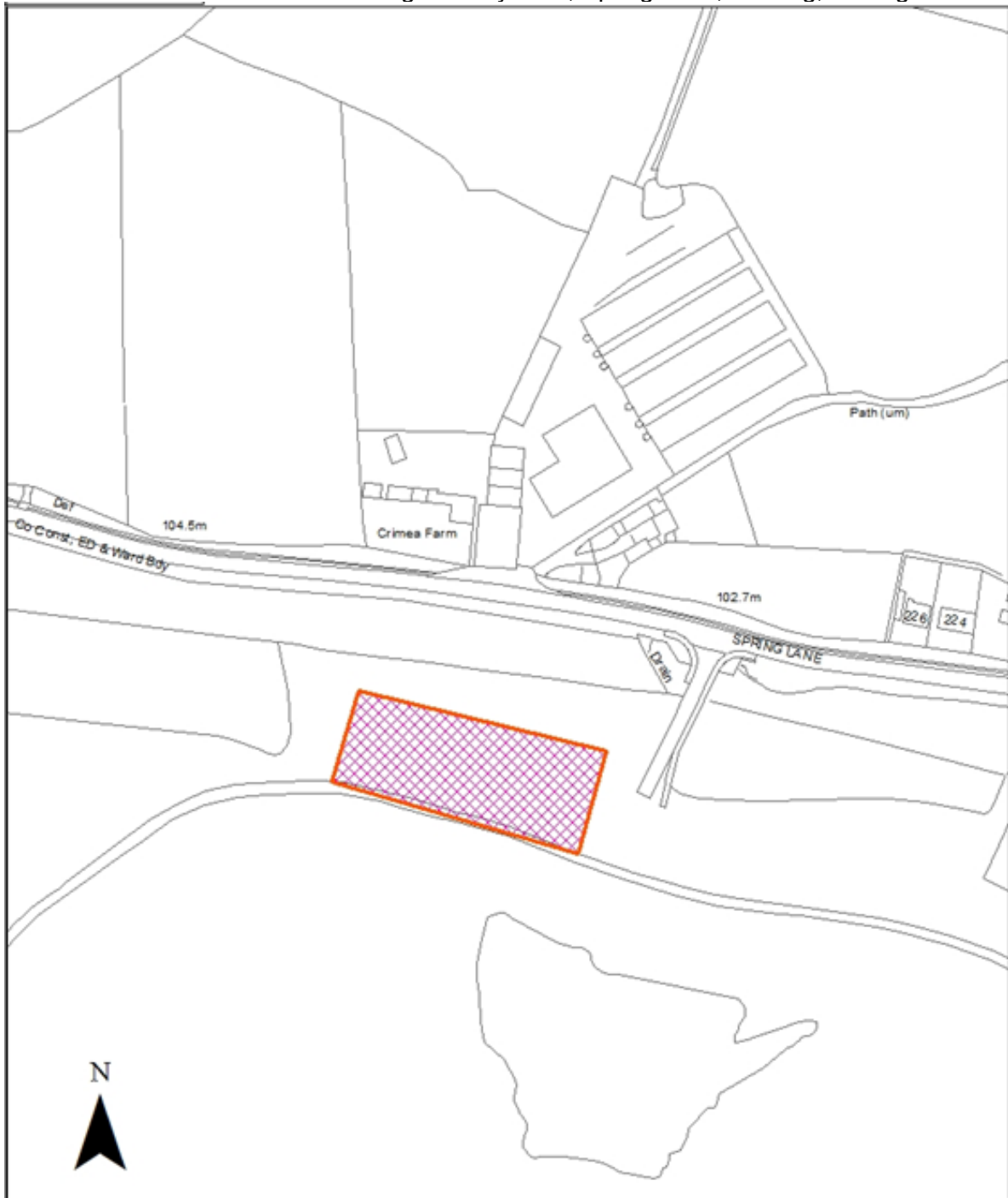


**Application Number:** 2015/0954

**Location:** Gedling Country Park, Spring Lane, Gedling, Nottinghamshire.



**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 100021248  
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## **Report to Planning Committee**

<b>Application Number:</b>	2015/0954
<b>Location:</b>	Gedling Country Park, Spring Lane, Gedling, Nottinghamshire.
<b>Proposal:</b>	Create snack van hard standing area in Gedling Country Park.
<b>Applicant:</b>	Gedling Borough Council
<b>Agent:</b>	Mr John Evens
<b>Case Officer:</b>	Amy Cockayne

**This application is being brought to Committee due to the applicant being Gedling Borough Council.**

### **Site Description**

The application site relates to an area of land within the car park serving the Gedling Country Park, the site of the former Gedling Colliery which covers an area of approximately 110 hectares. The Country Park already provides recreational facilities such as picnic areas and pathways for walking and cycling.

The car park to the Country Park is accessed from Spring Lane and is sited towards the northern boundary of the Park.

The Park is located within an area identified for the protection of open space in the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

The nearest residential properties are located to the north of the site along Spring Lane.

### **Planning History**

2012/1456 – Creation of country park, including a new access road, car park for 40 spaces and surfaced paths. Conditional Permission granted on 11<sup>th</sup> April 2013.

2014/0650 – To allow the change of use of land from public park (Sui Generis) to a pitch for the siting of an ice cream van (A1 use). Conditional Permission granted on 10<sup>th</sup> July 2014.

### **Proposed Development**

Full planning permission is sought for the creation of an area of hardstanding in the

Country Park to allow the positioning and trading of a snack van. The use of the land for A1 purposes i.e. ice cream or snack van, was previously approved under permission 2014/0650. The proposed hardstanding area would be incorporated within an extension to the existing car parking area, facilitating extra parking for 25 standard vehicles. The creation of the car park falls within the requirements of Part 12, Class A of the General Permitted Development Order 2015 and does not require planning permission.

The area of land that forms the application measures approximately 260m<sup>2</sup>. A corner of the proposed hardstanding would be created specifically for the siting of a snack van, incorporating a larger plot than a standard vehicular parking space and boundary treatment to separate this pitch from the 25 car parking spaces (knee rail fencing). Works are proposed to be carried out to the land for the regrading and levelling of ground soil. The details in the application state that the hardstanding would comprise of Terram geotextile matting covered by 150mm of type one road stone. A slabbed surface would be created to provide a stable surface for users of the snack van.

### **Consultations**

Neighbouring properties were notified via letter and a site notice was posted near to the site. One letter of representation was received making the following comments;

- Creation of hardstanding should be no problem in itself; providing it is suitably located, well within the boundary of the Park and probably near a Car Park
- Any vehicles parked on this hardstanding should ensure that sufficient provision is made for litter collection
- Hopefully the snack van will not require a generator – sound and smells should be kept to a minimum
- No chimes or tunes to be emitted from the van
- Snack van should have a restriction on day and hours of business
- Procedures operated by the retailer will hopefully be monitored by Gedling BC

Nottinghamshire Police Architectural Liaison – No comments have been received.

Gedling Borough Council (Licensing) – No comments have been received.

Gedling Borough Council (Food, health and safety) – No comments have been received.

Gedling Borough Council (Parks and Street Care) – No comments have been received.

### **Planning Considerations**

The main planning considerations in the determination of this application are the impact upon the recreational purposes and quality of the public open space, the potential impact on the character and appearance of the locality and the impact upon the residential amenity of neighbouring dwellings.

There is not considered to be any highways impact arising from the development, as the proposal would not affect the existing highway network in the locality.

At the national level, the National Planning Policy Framework (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.

The following policies are relevant to the application:

National Planning Policy Framework:

Part 1 – Building a strong, competitive economy

Part 7 – Requiring good design

Part 11 – Conserving and enhancing the natural environment

Gedling Borough Replacement Local Plan (Certain Policies Saved 2014):

ENV1 – Development Criteria

R1 – Protection of Open Space

R2 – Accessible Public Open Space

Gedling Borough Council Aligned Core Strategy 2014:

Policy 10 – Design and Enhancing Local Identity

Policy 13 – Culture, Tourism and Sport

Policy 16 – Green Infrastructure, Parks and Open Space

Policy R1 of the Replacement Local Plan states planning permission should not be granted for development on land that is used as open space. An exception to Policy R1 includes; where development would enhance or improve the recreational or sporting potential or quality of the site, and the proposed development shall avoid the erosion of the recreational function and maintain or enhance the character of the open space. Additionally, in accordance with Policy R2 of the Replacement Local Plan, the development should not adversely affect access to the protected open space. Due to the positioning of the proposed hardstanding and its relationship to the additional car parking for users of the Country Park, I am satisfied that the development would not override the wider recreational purpose of the Country Park and the character of the site and its surrounding area as open space would be maintained.

A previous planning approval permitted the use of the area for A1 classes (as defined within the Use Classes Order) in connection with the siting of an ice cream/snack van. For that reason I am of the opinion that the development would help facilitate the use of the site for the practical positioning of a snack van which would create local business opportunities, and therefore be in accordance with the aims of the NPPF to support economic growth.

The comments received in response to the neighbour consultation have been carefully considered. Many of the comments relate specifically to the business

activity of any future retailer using the site and do not form material planning considerations for this current application for proposed hardstanding at the site. Due to the nature of the development and the proposed hardstanding being incorporated within an extension to the existing car parking area at the Country Park, I am satisfied that the development would have no unduly detrimental impact upon the amenity of any occupiers and users of the neighbouring dwellings.

Given the above consideration, I am satisfied that the proposed development would have no undue impact on the Country Park, the open space, the amenity of nearby residential properties or on highway safety. In my opinion, the proposed development accords with Saved Policies ENV1, R1 and R2 of the Gedling Borough Replacement Local Plan as well as the NPPF and Gedling Aligned Core Strategy. It is therefore recommended that planning permission is granted.

### **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. This permission shall be read in accordance with the plans and details received by the Local Planning Authority on 2nd October 2015. The development shall thereafter be undertaken in accordance with these plans and details unless otherwise agreed in writing by the Local Planning Authority.

#### **Reasons**

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and to define the terms of this permission.

#### **Reasons for Decision**

In the opinion of the Borough Council the proposed development would help facilitate a use that would enhance recreational opportunities within the Borough and would not unduly impact upon the amenity of local residents, the visual amenity or character of the area. The proposal therefore accords with the National Planning Policy Framework (2012) and policies ENV1, R1 or R2 of the Gedling Borough Replacement Local Plan (Saved Policies 2008).

#### **Notes to Applicant**

This application is associated with Planning Approval 2014/0650 'To allow the change of use of land from Public Car Park (Sui Generis) to a pitch for the siting of an ice cream van (A1 use)'

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.