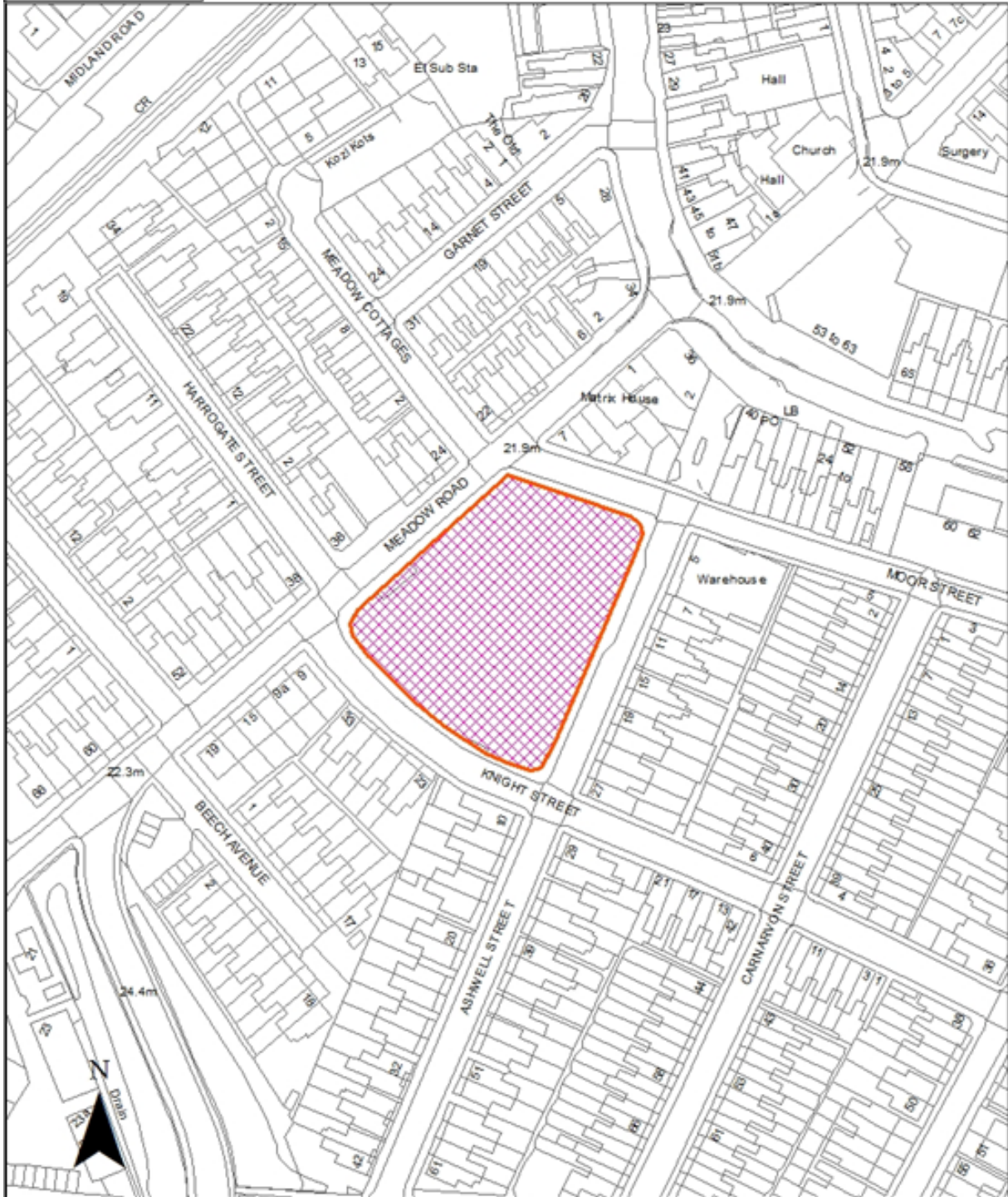




**Application Number:** 2015/0824  
**Location:** Development Site On Former School, Ashwell Street, Netherfield, Nottinghamshire.



**NOTE:**  
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## **Report to Planning Committee**

<b>Application Number:</b>	2015/0824
<b>Location:</b>	Development Site On Former School, Ashwell Street, Netherfield, Nottinghamshire.
<b>Proposal:</b>	Construction of a new medical centre and pharmacy including associated parking, cycle shelters and landscaping on land previously used as a school.
<b>Applicant:</b>	W R Evans (Chemist) Ltd
<b>Agent:</b>	Allan Joyce Architects Ltd
<b>Case Officer:</b>	Nick Morley

### **Site Description**

The application relates to the site of the now demolished Carlton Netherfield Infants and Nursery School, which closed in September 2005. It is located within an area which the flood maps indicate as potentially at risk of flooding, based on an undefended scenario which does not take account of recent flood prevention measures and is allocated as 'Protected Open Space – School Playing Field' in the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

The site is set within a predominantly residential setting with some commercial properties and is located adjacent to the edge of Netherfield District Shopping Centre.

The site is roughly square in shape and has boundaries with Meadow Road, Moor Street, Ashwell Street and Knight Street. The residential properties surrounding the site are predominantly two storey and two-and-a-half storey Victorian properties with front elevations facing the application site and separated from the application site by the adjoining highway. There is an existing vehicular access off Knight Street.

The perimeter of the site is enclosed by brick walls and railings, up to approximately 2 metres in height.

### **Relevant Planning History**

In May, 2011, full planning permission was granted under application no: 2011/0175 for the erection of a 50 bed care home and 3 bungalows. This permission was not implemented and has since expired.

### **Proposed Development**

Full planning permission is sought for the construction of a new medical centre and pharmacy, including associated parking, cycle shelters and landscaping on this former school site.

In support of the application, it is stated that the existing Netherfield building is no longer fit for purpose and is short of accommodation for staff, office space and other associated facilities. There is no further space available at the existing site to support the growing clinical team.

This is the closest Practice to the proposed Teal Close development, which is expected to generate approximately 2,300 new patients in need of healthcare.

In addition to its own services, the Practice has run the small adjacent practice in Colwick since 2010, the lease for which expires in April 2017.

The proposed development would front onto Meadow Road and Moor Street, with a 'drum' design feature at the junction of Meadow Road and Moor Street.

The proposed development would be two and three storeys in height, with flat roofs. The three storey element would have a maximum height of 10.35 metres and the two storey element would have a maximum height of 7.5 metres.

The existing access on Knight Street would be widened and a new exit would be created onto Knight Street, close to its junction with Ashwell Street, with visibility splays and the existing wall at this point demolished and rebuilt behind these.

These would serve a car park with 46 parking spaces, including 5 parking spaces for the disabled and 4 parking spaces with electric vehicle charging points, as well as covered patient and staff cycle spaces.

The existing pavement build-out, railings and benches along Ashwell Street would be removed as part of the proposed highway works.

The proposed materials are mainly brickwork, with small panels of cladding adjacent to the windows and contrasting panels of render.

The proposed means of enclosure would include the retention or rebuilding of most of the existing brick walls and railings along Ashwell Street, Knight Street and Meadow Road.

Bin stores would be provided at the eastern end of the proposed development.

In addition to the layout, plans and elevation drawings submitted, the application is also supported by the following documents:

- Assessment for Ecology
- Design and Access Statement
- Flood Risk Assessment
- Planning Statement

- Transport Statement
- Travel Plan

The following documents have been revised during processing of the application, in response to comments received:

- Flood Risk Assessment
- Travel Plan

### **Consultations**

Local Residents - have been notified by letter, site notices have been posted and the application has been publicised in the local press.

I have received 2 emails of representation from a local resident, who is largely in favour of the proposed new development and welcomes the new Medical Centre, but would wish to draw the Borough Council's attention to the following points of concern:

#### *Travel Plan*

- Parking on Ashwell Street has increased in recent months and it is disappointing to note the existing 'build out' adjacent to the school gates is not scheduled to be removed.
- The number of parking spaces allocated within the new development would undoubtedly be insufficient to cope with demand, therefore placing possibly more vehicle activity on Ashwell Street.
- The addition of double yellow lines around the corner of Ashwell Street/Knight Street to facilitate ease of exit from the site would also add to this problem.
- Residents who live opposite the 'build out' are already short of parking space for private cars and work related transit vehicles.
- Removal of the build out and the two wooden structures adjacent to the school gates would present a neater, tidier image and deter the drinkers who regularly use the wooden seats, as well as providing extra parking spaces.

#### *Road Safety*

- The vehicle exit point is very close to the corner of Ashwell Street and Knight Street. Attention is drawn to the fact that a number of pedestrians walk along Ashwell Street into Knight Street for access to Meadow Road and beyond. The vehicle entrance and exit points could present a road safety problem, particularly for young children (who on occasions tend to run or cycle around the corner) and the elderly who use this side of the street to access the bus stop on Meadow Road.
- A number of school-children cut through Knight Street and Ashwell Street on

their way to and from the school on Chandos Street.

- Suitable warning signage and speed limits should be put in place and toxicity levels monitored as necessary.

Colwick Parish Council – any comments will be reported verbally.

Nottinghamshire County Council (Lead Local Flood Authority) - originally expressed reservations over the adequacy of the submitted Flood Risk Assessment and the drainage design.

Following the submission of a revised Flood Risk Assessment, the County Council has confirmed that the application is acceptable, subject to implementation of the provisions outlined in the revised Flood Risk Assessment.

Environment Agency - advises that the proposed development would only meet the requirements of the NPPF if the following measures [specific details of which have been provided], as detailed in the Flood Risk Assessment submitted with this application, are implemented and secured by way of a planning condition on any planning permission:

- The development shall be carried out in accordance with the approved Flood Risk Assessment.
- The internal finished floor levels shall be set no lower than 22.62m Above Ordnance Datum (AOD).
- The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing phasing arrangements embodied within the scheme.

There is also an informative for the applicant to sign up to the Environment Agency Flood Line Warnings Direct, in order to facilitate evacuation in the event of an extreme flood event.

Severn Trent Water - no objection to the proposal, so long as the development is not commenced until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the local planning authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

This is to ensure that the proposed 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.

Sport England - does not wish to comment on this application.

Nottinghamshire County Council (Highway Authority) – originally requested some further information, in the form of an indicative drawing showing the alterations/improvements that would be required on the highway as a result of the

proposal, which should include:

- Improvements to the bus stop provision on Meadow Road to include shelter, lighting and real time information together with bus stop kerbing.
- Vehicular access alterations and visibility splays on Knight Street for access and egress to the site.
- Reinstatement of redundant accesses on Moor Street.
- Removal of build out on Ashwell Street, together with school barriers to improve the on-street parking facilities, as parking is already at a premium, especially on Knight Street, in close proximity to the development accesses.

Following the submitted of a revised drawing showing indicative proposed highway works, the Highway Authority makes the following comments:

The site was previously occupied by the former Carlton and Netherfield Primary School approximately 10 years ago. At present, all access arrangements to the former school remain as they were constructed for the original site and would need to be changed, improved or reinstated as a result of the proposed development. Regarding staff and patients working and visiting the proposed Medical Centre, the car parking provision is satisfactory. As an alternative, there are also pay and display car parks within Netherfield within a 5 minute walking distance of the site.

Although there are some on-street parking controls, in the form of residents parking and No Waiting At Any Time Traffic Regulation Orders, car parking on the surrounding residential streets is at a premium. The residential streets are mainly terraced houses which do not have curtilage parking provision.

In order to maintain safe vehicular access and egress to the site, a No Waiting At Any Time Order would need to be advertised and consulted upon on the north-east side of Knight Street.

To achieve on-street parking on the north-western side of Ashwell Street, the build out and barriers and benches that were outside the former school site entrance are to be removed.

Bus stop improvements are to be provided on the south-eastern side of Meadow Road in the vicinity of the existing bus stop. This work should include the provision a new shelter, lighting and real time bus information, together with the construction of raised bus stop kerbing.

Cycle storage provision should be designed to ensure that cycles can be left safe and secure.

A Framework Travel Plan has been prepared under Nottinghamshire County Council Guidance.

The bus stop improvements, cycle storage facilities and Travel Plan should give

patients and visitors alternative sustainable choices to visit the proposed new Medical Centre.

Should planning permission be granted, the Highway Authority would recommend the imposition of a number of appropriate conditions [specific details of which have been provided], regarding:

- Improvement works to existing accesses to form or remove access arrangements, provide visibility, together with bus stop upgrade and removal of build out/ barriers and benches.
- The appointment of a Travel Plan Coordinator, who shall be responsible for the implementation, delivery, monitoring and promotion of the sustainable transport initiatives as set out in the Framework Travel Plan.
- The production or procurement of a finalised Travel Plan that sets out final targets with respect to the adoption of measures to reduce single occupancy car travel consistent with the Framework Travel Plan.
- A Traffic Regulation Order application to provide No Waiting at Any Time on Knight Street.
- Implementation of the cycle parking layout.
- The provision of wheel washing facilities.

These conditions are required in the interests of Highway Safety; to encourage the use of other modes of transport as an alternative to motorised transport; to promote sustainable transport; and to reduce the possibility of deleterious material being deposited on the public highway (loose stones etc).

There are also a number of notes for the applicant [specific details of which have been provided], including the use of a S106 planning obligation to secure the Travel Plan arrangements.

Police Architectural Liaison Officer - discussion has taken place with the architect and the proposals have been influenced to help prevent crime and disorder. The site is looking at becoming a Secured by Design development to help achieve BREAM excellent award.

Public Protection – make the following comments regarding:

#### *Land Contamination*

With regard to previous residential enquiries about this site, Public Protection has recommended that the applicant carries out an assessment for land contamination; due largely to the fact the former school site has laid dormant for some time; but also pollution can arise from, for example, historic heating oil storage, asbestos etc.

This application is for a slightly less sensitive land end use (buildings, car parking and small areas of public open space. As such, Public Protection would recommend

that that the 'unexpected contamination' condition is imposed on any permission to ensure that the final development is safe and suitable for use.

### *Air Quality*

Public Protection has reviewed the submitted Travel Plan and notes and welcomes the commitment by the applicant to install EV charging points in the car parking area.

With reference to delivery vehicles accessing the site, Public Protection would recommend that the Travel Plan also incorporates provision for delivery vehicle emissions.

In this respect, the applicant should consider a strategy for reducing emissions, including possibilities for the take up of low emission fuels and technologies. This could be achieved via the applicant, and/or their delivery contractors, becoming members of the Nottingham ECOSTars Fleet Recognition Scheme.

The ECO Stars Fleet Recognition Scheme (Efficient and Cleaner Operations) is a free, voluntary scheme designed to provide recognition, guidance and advice to operators of goods vehicles, buses and coaches, who are implementing operational best practice measures to:

- improve efficiency
- reduce fuel consumption, and
- reduce fleet emissions

ECO Stars rates individual vehicles and the fleet's overall road transport operation using star rating criteria, to recognise levels of operational and environmental performance.

Following discussions with Public Protection, the Travel Plan has been revised to include a section on the ECOSTars scheme and confirms the commitment from Manor Pharmacy to sign up to the scheme. Public Protection has confirmed that these changes are acceptable.

More generally, during construction there is potential for increased levels of dust from the site. Therefore, to ensure that the potential for short term pollution from dust is considered and mitigated against, Public Protection would request that the standard condition is imposed on any permission to ensure that the final development is safe and suitable for use.

Health & Safety Executive - no comments to make, as the proposed development does not lie within the consultation distance of a major hazard site or major accident hazard pipeline.

Nottinghamshire County Council (Nature Conservation Unit) - notes that the application is supported by an ecological assessment, which indicates that the site is of very low/negligible nature conservation value, and does not support any protected species. No further surveys or specific mitigation is recommended.

Development of the site has the potential to deliver ecological enhancements



through site landscaping, and therefore the submission of a landscaping scheme should be secured through a condition, which incorporates the recommendations made in the ecological assessment.

Nottinghamshire Wildlife Trust (NWT) - is pleased to see that an ecological assessment has been undertaken, which allows consideration of protected species.

The NWT has reviewed the ecological assessment and is generally satisfied with the methodology and conclusions. The report makes a number of recommendations for ecological enhancements and this is also mentioned in the Design and Access Statement. To ensure that these are appropriately designed and implemented in full, the NWT recommends the imposition of a suitably worded condition to secure a detailed landscape plan for the site, should the application be approved.

The plan should include details of number and location of bird boxes, bat boxes and invertebrate boxes. Such enhancements would be in line with Paragraph 109 of the National Planning Policy Framework (NPPF), which states that the planning system should look to provide net gains in biodiversity where possible, whilst Paragraph 118 of the NPPF advises that opportunities to incorporate biodiversity in and around developments should be encouraged.

Economic Development - comments that because of the size of the build in terms of cost, it would fall into the Construction Industry Training Board (CITB) Threshold. Whilst the Borough Council would usually look at both construction and then long term employment on the site for a development of this nature, it is understood that this is a relocation, so there are already existing staff in place and from the Netherfield/Colwick area.

The estimated duration of the build is around 12 months, but the Borough Council would like to see where possible the developer using local supply chain and subcontractors.

The Borough Council is currently in the process of adopting the CITB approach and will be ready to use this model on all developments that meet the requirement, once approval from the CITB Panel has been received. The Borough Council would individually negotiate targets with the developer to try and ensure they meet and, where possible exceed, the minimum requirements.

Economic Development would be able to help the developer source local contractors and sub-contractor provision, if required.

It is recommended, therefore, that a condition is imposed on any permission relating to the developer entering into a local employment agreement for the construction phase of the development.

### **Planning Considerations**

The main planning considerations regarding this application are how the proposed development relates to current national and local planning policy; its impact on Netherfield District Centre; the provision of community facilities; whether it would

meet the main principles of sustainable development; flood risk; and the site's allocation as Protected Open Space.

Other planning considerations which need to be assessed are the impact of the proposed development on highway safety; residential amenity; design; air quality; and ecology.

These planning considerations are assessed below, as are other issues raised.

### Relevant Planning Policy Considerations

This is a proposal to erect a new medical centre and integral pharmacy to replace the two existing surgeries currently operated by the Practice in the Netherfield and Colwick area. The pharmacy element is contained within the proposed building and is integral to the proposed medical centre, which is intended to be a multi-disciplinary centre.

#### *National Planning Policies*

National planning policy guidance is set out in the National Planning Policy Framework (NPPF), at the heart of which is a presumption in favour of sustainable development (paragraphs 11-16). With regard to delivering sustainable development, the following national policies in the NPPF are most relevant to this planning application:

- NPPF Section 2: Ensuring the vitality of town centres (paragraphs 23-27)
- NPPF Section 4: Promoting Sustainable Transport (paragraphs 29-41)
- NPPF Section 7: Requiring good design (paragraphs 56-68)
- NPPF Section 8: Promoting Healthy Communities (paragraphs 69-78)
- NPPF Section 10: Meeting the challenge of climate change, flooding and coastal change (paragraphs 100-104)
- NPPF Section 11: Conserving & enhancing the natural environment (paragraphs 109-125)

With regard to decision-taking, the following sections and annex of the NPPF are most relevant to this planning application:

NPPF: Planning conditions and obligations (paragraphs 203–206).

In March 2014, National Planning Practice Guidance (NPPG) was published. This provides guidance on how to apply policy contained within the NPPF.

#### *Local Planning Policies*

Gedling Borough Council, at its meeting on 10th September, adopted the Aligned Core Strategy (ACS) for Gedling Borough (September 2014), which is now part of the development plan for the area.

It is considered that the following policies are relevant to this planning application:

- ACS Policy A: Presumption in Favour of Sustainable Development
- ACS Policy 1: Climate Change
- ACS Policy 10: Design and Enhancing Local Identity
- ACS Policy 12: Local Services and Healthy Lifestyles
- ACS Policy 14: Managing Travel Demand
- ACS Policy 17: Biodiversity

The Gedling Borough Replacement Local Plan (RLP) should now be referred to as the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014). The following policies of the RLP are most relevant to this proposal:

- RLP Policy C1: Community Services General Principles
- RLP Policy ENV1: Development Criteria
- RLP Policy ENV11: Pollution Generating Development
- RLP Policy R1: Protection of Open Space
- RLP Policy T10: Highway Design and Parking Guidelines

Section 17 of the Crime and Disorder Act 1998 is also relevant with regard to design.

#### Retail & Community Facility Considerations

The most relevant policies that need to be considered in relation to retail planning policy and the provision of community facilities are set out in Sections 2 and 8 of the NPPF, Policy 12 of the ACS and Policy C1 of the RLP

Section 2 of the NPPF seeks to promote the vitality and viability of town centres and requires the sequential test to be applied to retail and main town centre uses, which favours in centre sites, followed by edge of centre sites and lastly out of centre sites.

Section 8 of the NPPF states, amongst other things, that to deliver the social, recreational and cultural facilities and services the community needs, planning decisions should ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community.

Policy 12 of the ACS states, amongst other things, that new community facilities will be supported where they meet a local need. Community facilities should:

- a) be located within the City Centre, town centre or other centres, wherever appropriate; or
- b) be in locations accessible by a range of sustainable transport modes suitable to the scale and function of the facility; and
- c) where possible, be located alongside or shared with other local community facilities.

Policy C1 of the RLP states that planning permission will be granted for proposals to improve community services and facilities provided that:

- a) they are not detrimental to the amenity of adjoining and nearby property; and
- b) their location is within or near to local/district centres or easily accessible to local residents.

The pharmacy element is an integral part of the medical centre and, given that the proposed development is located on the edge of Netherfield District Centre, I am satisfied that it meets the sequential test required by the NPPF. This edge of centre location should also help encourage linked shopping trips to the adjoining Netherfield District Centre and help sustain its vitality.

The applicant's Design and Access Statement sets out that the new facility would replace two existing surgeries, one of which is a "branch" surgery and that both facilities are wholly inadequate in terms of space and inefficient in terms of layout and running costs.

The proposed new medical centre is in an edge of centre location, accessible by public transport, cycling and walking. The applicant anticipates significant increased demand in the area arising from housing growth on the nearby Teal Close sustainable urban extension, recently granted planning permission.

The proposal is intended to bring a multi-disciplinary health service to the area where patients can access a variety of services under one roof and meet the increasing needs of the catchment area.

As such, I consider that the proposal accords with the aims of Sections 2 and 8 of the NPPF, Policy 12 of the ACS and Policy C1 of the RLP.

### Sustainability Considerations

The most relevant policies for this site that need to be considered in relation to sustainability are set out in Sections 4 and 10 of the NPPF and Policies A, 1 and 14 of the ACS.

Section 4 of the NPPF states at paragraph 32 that plans and decisions should take account of whether the opportunities for sustainable transport modes have been taken up, safe and suitable access to the site can be achieved for all people, and improvements can be undertaken within the transport network that cost-effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Section 4 of the NPPF also requires at paragraph 34 that developments which generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

Paragraph 35 of the NPPF then states that developments should be located, where practical, to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities and should consider the needs of people with disabilities by all modes of transport.

Section 10 of the NPPF states, amongst other things, that local planning authorities should plan for new development in locations which reduce greenhouse gas emissions and take account of water supply considerations.

Policy A of the ACS requires that, where the development plan is out of date, planning permission should be granted unless:

- a) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework as a whole; or
- b) specific policies in that Framework indicate development should be restricted.

Policy 1 of the ACS states that all development proposals will be expected to deliver high levels of sustainability in order to mitigate against and adapt to climate change, and to contribute to national and local targets on reducing carbon emissions and energy use.

Policy 14 of the ACS states that the need to travel, especially by private car, will be reduced by securing new developments of appropriate scale in the most accessible locations.

### *Transport & Access*

The Highway Authority has no objection to the proposals on highways grounds, but has requested improvements to the bus stop provision on Meadow Road, to include shelter, lighting and real time information together with bus stop kerbing.

Alterations and improvements would be carried out on the highway around the site in order to provide new access and exit arrangements and the proposed development would provide opportunities for the use of alternative modes of transport modes.

### *Accessibility*

There is a bus stop directly outside the site on Meadow Road and others in the vicinity along Victoria Road. These routes connect Colwick, Carlton, Gedling and Netherfield, as well as routes into the City. Further along Victoria Road is the railway station, which is also within walking distance of the site.

There is adequate space within the site to provide a reasonable level of parking provision, enabling staff and patients (including those requiring accessible spaces) to park adjacent to the proposed building. Secure cycle shelters would also be provided for patients and staff.

### *Sustainable Design*

The whole of the development has been designed to BREEAM 'Excellent' standard, in line with current requirements for new healthcare buildings. The proposal brings with it a whole raft of sustainability measures, beyond what would be required by Building Regulations or normal planning conditions. Broadly, the proposed

development would incorporate the following:

- Significant energy and carbon emission reductions, through highly efficient heating and ventilation solutions.
- Thermally efficient envelope, including thermal mass, very high levels of insulation and air tightness.
- Large roof-mounted solar photovoltaic array to generate electricity on-site and solar shading to areas identified as potentially overheating.
- Energy and water monitoring systems.
- Responsibly sourced materials and minimised construction and operational waste.
- Protecting ecology and enhancing biodiversity on the site.
- Sustainable Urban Drainage Scheme to attenuate storm water collected on the site.
- Facilities to enhance use of sustainable transport on site.

### *Conclusion*

I am satisfied, therefore, that the proposed development can be considered to be sustainable in accordance with Sections 4 and 10 of the NPPF and Policies A, 1 and 14 of the ACS.

### Flood Risk Considerations

The relevant policies for this site that need to be considered in relation to flood risk are set out in Section 10 of the NPPF and Policy 1 of the ACS.

Section 10 of the NPPF states at paragraphs 100-103, amongst other things, that local planning authorities should plan for new development which ensure that flood risk is not increased elsewhere, and that a sequential approach should be used in areas known to be at risk from any form of flooding. If it is not possible, following application of the Sequential Test, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied.

Policy 1 of the ACS sets out a sequential approach to locating development away from areas at highest risk of flooding and states that where no reasonable site within Flood Zone 1 is available, allocations within Flood Zone 2 and 3 will be considered. This is consistent with paragraphs 101-103 of the NPPF, which states that a sequential test should be applied in areas known to be at risk of any form of flooding, but where development is necessary it should be safe without increasing flood risk elsewhere.

The flood maps for the area indicate that the proposed development is located within the high risk flood zone (Flood Zone 3), but these are based on an undefended

scenario, and do not reflect the situation following the construction of the Nottingham Trent Left Bank Flood Alleviations Scheme. It has been concluded through the Flood Risk Assessment that the site is in fact in Flood Zone 1 equivalent (having a flood risk of less than 1:1000 years), because the Greater Nottingham Strategic Flood Risk Assessment (GNSFRA) now takes into account the flood prevention measures that are in place along this stretch of the River Trent.

Whilst the proposed use would be classed as 'more vulnerable' in terms of the Flood Risk Vulnerability Classification in the NPPF, and would require the application of the sequential and exception tests if located within Flood Zone 3, this is not required given the results of the GNSRA.

A Flood Risk Assessment has been carried out in accordance with the requirements of the NPPF and this has been amended during the processing of the application to overcome the initial concerns expressed by the County Council as Lead Local Planning Authority (LLFA). In particular, I note that as a result of the recommendations of the flood risk assessment and on a precautionary basis, the proposed building has been raised approximately 600 mm above the 1:100 year flood levels.

I consider, therefore, that the flood risk issues raised by the LLFA and the Environment Agency have been mitigated by the recommendations in the revised Flood Risk Assessment and that there are no objections on flood risk grounds, subject to the imposition of appropriate conditions, if permission is granted.

As such, I am satisfied that the proposed development would not be unduly vulnerable to the impact of climate change and flooding and accords with the aims of Section 10 of the NPPF and Policy 1 of the ACS, which seek to ensure that development is safe, that flood risk is not increased elsewhere and that priority is given to the use of sustainable drainage systems.

#### Protected Open Space Considerations

The most relevant planning policy which needs to be considered in relation to the site's designation within the RLP as a protected school playing field is set out in Policy R1 of the RLP.

Policy R1 of the RLP states, amongst other things, that planning permission will not be granted for development on land that is used, or was last used, as open space, including school playing fields. Exceptions to this policy are allowed where one of a number of conditions are met, including that the facility is to be replaced at an alternative location in a way that is at least equivalent in terms of its size, usefulness, attractiveness and quality in a location that is at least as accessible to current and potential users.

I am mindful that when the school on the application site was relocated to Chandos Street, in an amalgamation with the Junior School, new games courts were provided at Chandos Street in addition to a new habitat area. Half of an existing grassed area was retained for informal play. In considering a similar application for the replacement of Mapperley Plains Primary School, the improvement of facilities at the

merged school site on Central Avenue was taken to meet the above condition, which requires the facility to be replaced at an alternative location.

This approach was also subsequently taken for the previous application on this site for the erection of a 50 bed care home and 3 bungalows and I consider that it would be unreasonable to now adopt a different approach. I consider, therefore, that the enhanced recreational facilities provided at Chandos Street continue to meet this exception in Policy R1.

I am also mindful that the open space consisted of hard surfacing within the grounds of the former school building. As such, this space would not constitute a playing field as defined in Sport England's Planning Policy Statement on planning applications for development on playing fields and I note that Sport England does not wish to comment on this application.

It is considered, therefore, that the proposed development would accord with one of the exceptions set out in Policy R1 of the RLP.

#### Highway Considerations

The most relevant planning policies which need to be considered in relation to highway matters are set out in Section 4 of the NPPF and Policies ENV1 and T10 of the RLP.

Section 4 of the NPPF states at paragraph 32 that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether the opportunities for sustainable transport modes have been taken up, safe and suitable access to the site can be achieved for all people, and improvements can be undertaken within the transport network that cost-effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Policy ENV1 of the RLP states, amongst other things, that planning permission will be granted for development if 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 should include adequate provisions for the safe and convenient access and circulation of pedestrians and vehicles and that, in this regard, particular attention will be paid to the needs of disabled people, cyclists, pedestrians and people with young children.

Policy T10 of the RLP refers to highway design and parking guidelines and states, amongst other things, that developers will not be required to provide more parking spaces than they consider necessary unless failure to provide enough off-street parking would harm road safety or prejudice the flow and management of traffic on nearby streets. In addition, Policy T10 requires that special attention will be paid to providing parking spaces reserved for disabled people in all non-residential development.

Whilst I appreciate the concerns which have been expressed by a local resident with regard to on-street parking, highway safety and existing highway features, I note that



the Highway Authority has no objections following the submission of a revised Indicative Proposed Highway Works drawing, which shows the alterations and improvements required on the highway as requested by the Highway Authority. In particular, this includes the provision of visibility splays on Knight Street and the removal of the build-out and railings on Ashwell Street to improve on-street parking facilities.

I am satisfied that the proposed development would provide opportunities for the use of sustainable transport modes and that safe and suitable access to the site can be achieved for all people. In my opinion, the proposed development would include adequate provision for the safe and convenient access and circulation of pedestrians and vehicles, including provision for the needs of disabled people, cyclists, pedestrians and people with young children.

If permission is granted, I am satisfied that the Travel Plan can be secured by means of an appropriate condition, in accordance with usual practice, rather than a Section 106 planning obligation, as originally suggested by the Highway Authority. This has subsequently been confirmed as acceptable by the Highway Authority.

For the above reasons, I conclude that the proposed development would not have any significant impact on highway safety and that there would be adequate provisions for the safe and convenient access and circulation of pedestrians and vehicles.

It is considered, therefore, that the proposed development would provide access, parking and turning arrangements in accordance with Section 4 of the NPPF, Policies ENV1 and T10 of the RLP.

### Amenity Considerations

The relevant planning policies which need to be considered in relation to residential amenity are set out in Policy 10 of the ACS and Policy ENV1 of the RLP. Policy 10 of the ACS states, amongst other things, that development will be assessed in terms of its treatment of the impact on the amenity of nearby residents and occupiers.

Policy ENV1 of the RLP states, amongst other things, that planning permission will be granted for development provided that 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. This is reflected more broadly in Policy 10 of the ACS.

With regard to residential amenity, I am satisfied that the proposed development would not have an undue impact on existing residential properties on Meadow Road, Moor Street, Ashwell Street and Knight Street in terms of overlooking, overshadowing or overbearing issues, nor by reason of the level of activities on the site or the level of traffic generated.

In my opinion, the proposed development would not have an unduly detrimental impact on the amenity of nearby residents in accordance with the aims of Policy 10

of the ACS and Policy ENV1 of the RLP.

### Design Considerations

The most relevant planning policies that need to be considered in relation to design are set out in Section 7 of the NPPF, Policy 10 of the ACS and Policy ENV1 of the RLP. Section 17 of the Crime and Disorder Act 1998 is also relevant.

Section 7 of the NPPF states at paragraph 58 that planning decisions should aim to ensure that developments will function well and add to the overall quality of the area, over the lifetime of the development, and are visually attractive as a result of good architecture and appropriate landscaping.

Paragraph 63 of the NPPF states that in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.

Policy 10 of the ACS requires all new development to be designed to a high standard and sets out in detail how this should be assessed. The most relevant design elements in this instance include the site layout; massing, scale and proportion; materials, architectural style and detailing.

Policy ENV1 of the RLP states, amongst other things, that planning permission will be granted for development provided that 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.

The Design and Access Statement comments that the proposals are for a modern building, intended to provide state of the art healthcare to the community. The building has been designed to reflect the proposed use and does not attempt to mimic the style of existing adjacent properties.

With regard to density, form and scale, I note that the footprint of the proposed development would occupy a smaller area than the previously approved care home and bungalows and that the main elevations run parallel to Meadow Road and Moor Street, with a landmark, three storey, 'drum' feature on the corner facing towards the centre of Netherfield. The lower, two storey elements radiate away from this 'drum' feature towards the predominantly residential areas to the south.

The setting back of the built form from Ashwell Street and Knight Street reduces the scale of the proposed development in relation to the residential properties on these streets, whilst its two and three storey frontage to Meadow Road and Moor Street would relate well within the streetscene to existing commercial and residential properties in this area.

In terms of layout, the proposed building has been designed to meet the functional needs of the medical centre and would be located on the northernmost corner of the site, creating a strong presence in the more urban part of the streetscene. The landscaped car park area would be to the south of the site. Pedestrian access would be gained into a glazed central foyer area, via either the main entrance on Moor

Street or from the rear car park.

I note that discussions have taken place between the architect and the Police Architectural Liaison Officer, who comments that the proposals have been influenced to help prevent crime and disorder and that the site is looking at becoming a Secured by Design development.

This will help to reduce opportunities for crime and the fear of crime, disorder and anti-social behaviour in accordance with the aims of Policy 10 of the ACS and Section 17 of the Crime and Disorder Act 1998.

For the above reasons, I am satisfied that the proposed development would be designed in accordance with the relevant design aims of Section 7 of the NPPF, Policy 10 of the ACS and Policy ENV1 of the RLP.

### Air Quality Considerations

The most relevant planning policies that need to be considered in relation to air quality are set out in Section 11 of the NPPF and Policy ENV11 of the RLP.

Section 11 of the NPPF states at paragraph 109, amongst other things, that the planning system should contribute to and enhance the natural and local environment by preventing new development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution.

Policy ENV11 of the RLP states, amongst other things, that planning permission will not be granted for pollution generating development which would result in unacceptable risk to the health and safety of residents or users of nearby properties; unacceptable nuisance to users or residents of nearby properties or the surroundings in general by reason of smoke, fumes, gases; or harm to the natural environment or the landscape.

With regard to air quality, I note that Public Protection welcomes the commitment by the applicant to install electric vehicle charging points in the car parking area and to join the ECOStars scheme, which has now been included within the Travel Plan.

As a consequence, I am satisfied that the proposed development would not contribute to unacceptable levels of air pollution or result in unacceptable risk, nuisance or harm to the health and safety of residents or users of nearby properties and the surroundings in general.

It is considered, therefore, that the proposed development would accord with Section 11 of the NPPF and Policy ENV11 of the RLP.

### Ecological Considerations

The most relevant planning policies which need to be considered in relation to ecological matters are set out in Section 11 of the NPPF and Policy 17 of the ACS.

Section 11 of the NPPF advises, at paragraph 118, that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying a number of principles, including the encouragement of opportunities to incorporate biodiversity in and around developments. If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

Policy 17 of the ACSSD seeks, amongst other things, to ensure that biodiversity will be increased over the Core Strategies period by seeking to ensure that new development provides new biodiversity features, wherever appropriate.

I note that the County Council's Nature Conservation Unit and the Nottinghamshire Wildlife Trust consider that the site is of very low or negligible nature conservation value and does not support any protected species, but that the proposed development has the potential to deliver ecological enhancements through landscaping and other enhancements, which can be secured by the imposition of appropriate conditions, if planning permission is granted.

For the above reasons, it is considered that the proposed development would enhance biodiversity in accordance with the aims of paragraph 118 of the NPPF and Policy 17 of the ACS.

### Conclusions

The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014) and the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014), where appropriate.

In my opinion, the proposed development largely accords with the relevant policies of these frameworks and plans. Where the development conflicts with the Development Plan, it is my opinion that other material considerations indicate that permission should be granted. The benefits of granting the proposal outweigh any adverse impact of departing from the Development Plan.

The proposed development would bring this dormant site back into use as a community healthcare facility, close to the centre of Netherfield and its existing facilities and amenities.

As there are now no objections by the LLFA or Environment Agency on flood risk grounds, and Sport England has not objected to the proposal, it will not be necessary to refer the application to the Secretary of State for Communities and Local Government under the Town and Country Planning (Consultation) (England) Direction 2009, should Members be minded to accept my recommendation.

### **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 permitted shall be constructed and implemented in accordance with the following approved plans and documents: Proposed Site Plan (003 Rev A); Proposed Ground Floor Plan (004); Proposed First and Second Floor Plans (005), received on 21st July 2015; Proposed Elevations (006 Rev A), received on 29th July 2015; Indicative Proposed Highway Works (03 Rev A), received on 11th September 2015; Framework Travel Plan (A2459, Rev A), received on 25th September 2015; and Flood Risk Assessment (V5), received on 1st October 2015.
3. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Borough Council and development must be halted immediately on that part of the site until such time that the Borough Council has given written approval for works to recommence on site. Once contamination has been reported to the Borough Council, an assessment of contamination must be undertaken. This assessment shall include a survey of the extent, scale and nature of contamination and an assessment of the potential risks to human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments. The assessment shall be undertaken by a competent person and shall assess any contamination of the site whether or not it originates on site. Where remediation is necessary, a written remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Borough Council. The remediation scheme shall be implemented as approved.
4. Before development is commenced a Traffic Regulation Order application to provide No Waiting at Any Time on Knight Street, as shown for indicative purposes on drawing number 03 Rev A, shall be submitted to and approved in writing by the Nottinghamshire County Council as Highway Authority.
5. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of a Dust Management Plan. The plan shall be produced in accordance with 'The Control of Dust and Emissions from Construction and Demolition' (Best Practice Guidance). The plan shall be implemented in accordance with the approved details and shall be retained for the duration of the construction period, unless otherwise prior agreed in writing by the Borough Council.
6. Before development is commenced, there shall be submitted to and approved in writing by the Borough Council details of wheel washing facilities to be installed on the site. The approved wheel washing facilities shall be maintained in working order at all times during the construction period and shall be used by any vehicle carrying mud, dirt or other debris on its wheels

before leaving the site so that no mud, dirt or other debris is discharged or carried on to a public road.

7. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of the materials to be used in the external elevations of the proposed building. Thereafter the development shall be carried out in accordance with approved materials, unless otherwise prior agreed in writing by the Borough Council.
8. Before development is commenced there shall be submitted to and approved writing by the Borough Council details of the means of surfacing of the access and exit routes, car parking areas, turning and servicing areas and other unbuilt on portions of the site. The access and exit routes, car parking areas, turning and servicing areas and other unbuilt on portions of the site shall be provided and completed in accordance with the approved details before the development is first brought into use and the parking, turning and servicing areas shall not be used for any other purpose other than the parking, turning, loading and unloading of vehicles.
9. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of the proposed means of enclosure of the site. The means of enclosure shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
10. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of all external lighting, including levels of illumination and a lux plot of the estimated luminance, to be provided on the proposed building or elsewhere within the site. Any security lighting/floodlighting to be installed, shall be designed, located and installed so as not to cause a nuisance to users of the highway. The external lighting shall be provided in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
11. Before development is commenced there shall be submitted to and approved in writing by the Borough Council drainage plans for the proposed means of disposal of surface water and foul sewage. The scheme shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
12. Before development is commenced there shall be submitted to and approved by the Borough Council a landscape plan of the site showing the position, type and planting size of all trees, hedges, shrubs or seeded areas proposed to be planted. The landscape plan shall incorporate the recommendations made in section 4.1 and 4.2 of the EMEC report. The approved landscape plan shall be carried out in the first planting season following the substantial completion of the development. If within a period of five years beginning with the date of

the planting of any tree, hedge, shrub or seeded area, that tree, shrub, hedge or seeded area, or any tree, hedge, shrub or seeded area that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Borough Council seriously damaged or defective, another tree, shrub or seeded area of the same species and size as that originally planted shall be planted at the same place, unless otherwise prior agreed in writing by the Borough Council.

13. Before development is commenced, there shall be submitted to and approved in writing by the Borough Council details of a scheme for the incorporation of bird, bat and invertebrate boxes within the development. The scheme shall incorporate the recommendations made in section 4.2 of the EMEC report. The scheme shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
14. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of a Local Employment Agreement to cover the construction of the development hereby permitted. The Local Employment Agreement shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.
15. The internal finished floor levels shall be set no lower than 22.62 metres Above Ordnance Datum (AOD). These mitigation measures shall be fully implemented prior to occupation of the development and subsequently in accordance with the timing/phasing arrangements embodied within the Flood Risk Assessment. These mitigation measures shall be retained as approved for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
16. Before the development hereby permitted is first brought into use, the individual parking spaces shall be clearly marked out on site in accordance with the approved plan. The parking spaces shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
17. No part of the development hereby permitted shall be brought into use until the cycle parking layout as indicated on drawing number 003 Rev A has been provided and that area shall not thereafter be used for any purpose other than the parking of cycles. The cycle parking layout shall be retained as approved for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
18. No part of the development hereby permitted shall be brought into use until the improvement works at Meadow Road/Knight Street/Ashwell Street and Moor Street, as shown for indicative purposes only on the Indicative Proposed Highway Works drawing number 03 Rev A, have been undertaken. The improvement works shall be retained as approved for the lifetime of the

development, unless otherwise prior agreed in writing by the Borough Council.

19. The development hereby permitted shall not be occupied or be brought into use until the owner or the occupier of the site has appointed and thereafter continue to employ or engage a Travel Plan Coordinator who shall be responsible for the implementation, delivery, monitoring and promotion of the sustainable transport initiatives set out in the Framework Travel Plan (A2459, Revision A), dated 25th September 2015, and whose details shall be provided and continue to be provided thereafter to the Borough Council.
20. The Travel Plan Coordinator shall within 6 months of occupation of the development produce or procure a finalised Travel Plan, that sets out final targets with respect to the adoption of measures to reduce single occupancy car travel consistent with the Framework Travel Plan (A2459, Revision A), dated 25th September 2015, to be approved in writing by the Borough Council. The finalised Travel Plan shall be implemented in accordance with the approved timetable and be updated consistent with future travel initiatives, including implementation dates, to the satisfaction of the Borough Council.

### **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 practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Section 11 of the National Planning Policy Framework and Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
4. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
5. To protect the residential amenity of the area in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
6. To reduce the possibility of deleterious material being deposited on the public highway in the interests of highway safety, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
7. To ensure that the materials to be used in the external elevations of the proposed building are satisfactory, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).



8. To ensure that the means of surfacing of the development are satisfactory and to ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
9. To protect the residential amenity of the area, in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
10. In the interests of highway safety and to protect the residential amenity of the area, in accordance with the aims of Section 11 of the National Planning Policy Framework, Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
11. To ensure the development is provided with a satisfactory means of drainage and to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution, in accordance with Section 11 of the National Planning Policy Framework and Policy 1 of the Aligned Core Strategy for Gedling Borough (September 2014).
12. To ensure that the landscaping of the proposed development accords with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
13. To enhance biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
14. To seek to ensure that the construction of the site provides appropriate employment and training opportunities, in accordance with Policy 4 of the Aligned Core Strategy for Gedling Borough (September 2014).
15. To reduce the risk of flooding to the proposed development and future occupants, in accordance with Section 10 of the National Planning Policy Framework and Policy 1 of the Aligned Core Strategy for Gedling Borough (September 2014).
16. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
17. To promote sustainable transport, in accordance with the aims of Section 4 of the National Planning Policy Framework and Policy 14 of the Aligned Core Strategy for Gedling Borough (September 2014).
18. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

19. To encourage the use of other modes of transport as an alternative to motorised transport, in accordance with the aims of Section 4 of the National Planning Policy Framework and Policy 14 of the Aligned Core Strategy for Gedling Borough (September 2014).
20. To encourage the use of other modes of transport as an alternative to motorised transport, in accordance with the aims of Section 4 of the National Planning Policy Framework and Policy 14 of the Aligned Core Strategy for Gedling Borough (September 2014).

### **Notes to Applicant**

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved as is detailed below. Full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, residential extension or residential annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website or from the Planning Portal: [www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

It is recommended that the occupants of the site sign up to the Environment Agency Flood Line Warnings Direct via <https://fwd.environment-agency.gov.uk/app/olr/register> or by calling the Flood line on 0845 988 1188 to facilitate evacuation the event of an extreme flood event.

In order to carry out the off-site works required above, you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works, you will need to enter into an agreement under Section 278 of the Act. Please contact the Highway Authority on 0115 977 3949 for details.

Regarding the bus stop improvements required above, please contact Nottinghamshire County Council's Public Transport Section at: [PTDC@nottscc.gov.uk](mailto:PTDC@nottscc.gov.uk) for further details to provide a bus shelter, lighting and real time information. The estimated costings for the bus stop on Knight Street ref. GE0154 - Bus Shelter £2,750, Solar Lighting £2,200, Real Time Displays with Associated Electrical Connections £6,600 and Raised Kerb £1,650 (prices subject to change). Any costs associated with the relocation of the stop would need to be met by the developer.

The Travel Plan coordinator and Final Travel Plan details required above should be discussed with Transport Strategy at Nottinghamshire County Council. Please contact: [transport.strategy@nottscc.gov.uk](mailto:transport.strategy@nottscc.gov.uk).

To ensure that the appropriate application is submitted to provide No Waiting at Any Time restrictions, as required above, please contact: [tmconsultation@nottsc.gov.uk](mailto:tmconsultation@nottsc.gov.uk) for further details.

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.

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](http://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](http://www.groundstability.com).

The Borough Council has worked positively and proactively with the applicant, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, based on seeking solutions to problems arising in relation to dealing with the planning application. This has been achieved by providing details of issues raised in consultation responses; requesting clarification, additional information or drawings in response to issues raised; and providing updates on the application's progress.