

ASHFIELD DISTRICT COUNCIL



Council Offices,
Urban Road,
Kirkby in Ashfield
Nottingham
NG17 8DA

Agenda

Planning Committee

Date: **Wednesday, 26th June, 2019**

Time: **10.00 am**

Venue: **Council Chamber, Council Offices, Urban Road,
Kirkby-in-Ashfield**

For any further information please contact:

Lynn Cain

l.cain@ashfield.gov.uk

01623 457317

PLANNING COMMITTEE

Membership

Chairman: Councillor Rachel Madden

Vice-Chairman: Councillor Dale Grounds

Councillors:

Chris Baron

Samantha Deakin

David Martin

Helen-Ann Smith

Jason Zadrozny

Ciaran Brown

Tom Hollis

Lauren Mitchell

Daniel Williamson

FILMING/AUDIO RECORDING NOTICE

This meeting may be subject to filming or audio recording. If you have any queries regarding this, please contact Members' Services on 01623 457317.

SUMMONS

You are hereby requested to attend a meeting of the Planning Committee to be held at the time/place and on the date mentioned above for the purpose of transacting the business set out below.



R. Mitchell
Chief Executive

AGENDA

Page

1. To receive apologies for absence, if any.
2. **Declarations of Disclosable Pecuniary or Personal Interests and Non Disclosable Pecuniary/Other Interests.**
3. To receive and approve as a correct record the minutes of a meeting of the Committee held on 28th March, 2019. 5 - 8
4. To receive and consider the attached planning applications. 9 - 138
5. **Planning Appeal Decisions** 139 - 144

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PLANNING COMMITTEE

Meeting held in the Council Chamber, Council Offices, Urban Road, Kirkby-in-Ashfield,

on Thursday, 28th March, 2019 at 7.00 pm

Present: Councillor Chris Baron in the Chair;

Councillors Cheryl Butler, Tom Hollis,
Rachel Madden, Keir Morrison, Phil Rostance
(Vice-Chair), Helen-Ann Smith, Mike Smith,
Sam Wilson and Jason Zadrozny.

Apologies for Absence: Councillor David Griffiths.

Officers Present: Martin Elliott, Mick Morley, Christine Sarris and
Samantha Reynolds.

**P.36 Declarations of Disclosable Pecuniary or Personal Interests and Non
Disclosable Pecuniary/Other Interests.**

There were no declarations of interest.

**P.37 To receive and approve as a correct record the minutes of a meeting of
the Planning Committee held on 28 February 2019**

The Minutes of the meeting held on 28 February 2019 were approved as a
correct record and signed by the Chairman.

P.38 To receive and consider the attached planning applications.

- 1. V/2018/0734 - Outline Application with All Matters Reserved for
Demolition of Existing Buildings and Construction of 9 Dwellings
with Associated Access, Car Parking and Amenity Space -
Sunbeam House, West Street, Hucknall.**

The Chairman noted that members of the Committee had carried out a site
visit earlier in the week.

In accordance with the Council's procedure for speaking at Planning
Committee Mr Max Cully of M.I.C Design (agent for the applicant), addressed
the meeting.

It was moved by Councillor Baron and seconded by Councillor P Rostance
that planning permission be **REFUSED** for the reasons set out in the officer's
report.

For the motion: Councillors Baron, Butler, K Morrison, P Rostance and M Smith

Against the motion: Councillors T Hollis, Madden, H Smith, Wilson and Zadrozny

Abstentions: None

With five votes for the motion and five votes against, the Chairman used his casting vote to vote for the motion.

Accordingly, the motion was declared as **CARRIED**.

2. V/2019/0038 - Reserved Matters Permission for Development of 45 Dwellings, 2 Flats and Commercial Space, together with Associated Infrastructure and Roads - Land to the East of Hurricane Road, Hucknall.

The Chairman noted that members of the Committee had carried out a site visit earlier in the week.

The Chairman advised that while no objections had been received to the application, that due to an administrative error and a misunderstanding caused by the similar application numbers of the application and of the subsequent application, that he would be using his discretion and allow an objector to address the meeting in respect of the application.

The Assistant Director, Planning and Regulative Services noted that the application was being considered before application V/2018/0803 (Proposed Erection of 120no. dwellings (including 10% affordable housing) and associated infrastructure including accesses and landscaping (Re-Submission of V/2018/0150) - Land at Rolls Royce, Watnall Road, Hucknall), as the application demonstrated some provision of local facilities for the area.

In accordance with the Council's procedure for speaking at Planning Committee, and at the Chairman's discretion Mr Vaughan Gallagher (objector), and Mr Nathan Wilkinson of Brewster Bye Architects (architect for the applicant), addressed the meeting.

It was moved by Councillor Baron and seconded by Councillor P Rostance that consideration of the application be **DEFERRED** to a future meeting of the Planning Committee in order to enable further discussions to take place between the Council and the applicant with regard to the location, potential uses and amount of retail space on the development.

For the motion: Councillors Baron, Butler, T Hollis, K Morrison, P Rostance, H Smith, M Smith and Wilson.

Against the motion: None

Abstentions: Councillors Madden and Zadrozny

Accordingly, the motion was declared as **CARRIED**.

The meeting adjourned at 8:07pm and reconvened at 8:12pm

3. V/2018/0803 - Proposed Erection of 120no. dwellings (including 10% affordable housing) and associated infrastructure including accesses and landscaping (Re-Submission of V/2018/0150) - Land at Rolls Royce, Watnall Road, Hucknall.

The Chairman noted that members of the Committee had carried out a site visit earlier in the week.

It was moved by Councillor Baron and seconded by Councillor Butler that consideration of the application be **DEFERRED** to a future meeting of the Planning Committee in order to enable further discussions to take place between the Council and the applicant with regard to application V/2019/0038 (Reserved Matters Permission for Development of 45 Dwellings, 2 Flats and Commercial Space, together with Associated Infrastructure and Roads - Land to the East of Hurricane Road, Hucknall), with regard to the location, potential uses and amount of retail space on the development so as to enable the applications to be considered consecutively at a future meeting of the Planning Committee.

For the motion: Councillors Baron, Butler, T Hollis, Madden, K Morrison, P Rostance, H Smith, M Smith, Wilson and Zadrozny

Against the motion: None

Abstentions: None

Accordingly, the motion was declared as **CARRIED**.

4. V/2019/0031 - Application for Approval of Reserved Matters Following Outline Approval of Planning Permission V/2016/0617 - Land to the Rear of 319-331 Alfreton Road, Sutton-in-Ashfield.

In accordance with the Council's Policy for dealing with late matters in relation to planning applications (Minute No. D4.17, 1993/94), the Development Team Manager gave a verbal report on additional comments received in relation to the application after the agenda had been finalised as follows:

In accordance with the Council's procedure for speaking at Planning Committee Mr Neil Hodgkinson (objector), addressed the meeting.

It was moved by Councillor T Hollis and seconded by Councillor Wilson that planning permission be **REFUSED** for the following reasons.

That the proposed development, with regard to its design, scale, mass and appearance would be an inappropriate development in the open countryside that would result in an unacceptable level of impact on the amenity and open

countryside character of the area.

The proposed development would also provide an unacceptable level impact on the amenity of the residents of the neighbouring properties due to the overlooking and loss of privacy that would be created by the development.

For the motion: Councillors Baron, Butler, T Hollis, Madden, K Morrison, P Rostance, H Smith, M Smith, Wilson and Zadrozny

Against the motion: None

Abstentions: None

Accordingly, the motion was declared as **CARRIED**.

The meeting closed at 8.46 pm

Chairman.

BACKGROUND PAPERS AND AVAILABILITY OF PLANS

Under the terms of the Local Government (Access to Information) Act 1985 the Authority is required to list the background papers used in preparing all recommendations relating to planning applications.

The background papers forming the planning application file include:

- A Planning Application file, incorporating consultation records, site appraisal and records of meetings and telephone conversations.
- B Planning Policy
- C Local Resident Comments
- D Highway Authority Consultation
- E Environmental Health (ADC)
- F Severn Trent Water plc/Environment Agency
- G Parish Council
- H Local Societies
- I Government Circulars/PPGs
- J Listed Building Consultees
- K Other

Letters received prior to preparation of the Agenda are summarised to indicate the main points and incorporated in the Report to the Members. Any comments received after that date, but before 3pm of the day before Committee, will be reported verbally.

The full text of all correspondence is available to Members.

If a member of the public wishes to view any Background Papers an appointment should be made (giving at least 48 hours notice) with the appropriate Officer in the Council's Development Control Section.

Site Visits Planning Committee

Members will be aware of the procedure regarding Site Visits as outlined in the Councils Constitution.

Should any Planning Committee Member wish to visit any site on this agenda they are advised to contact either the Interim Director, Place and Communities or the Assistant Director, Planning and Regulative Services by 4pm on 20th June 2019.

This can be done by either telephone or e-mail and should include the reason as to the request for the site visit. The necessary arrangements will then be made to obtain access to the site or an objector's property, if such is required.

Members are asked to use their own means of transport and those Members attending site visits should meet at the Council Offices at Urban Road at 10am on the Monday before Planning Committee. If there is any difficulty in obtaining transport please make contact with the above named officers where alternative arrangements can be made.

C. Cooper-Smith

Interim Service Director, Place and Communities

Tel: 01623 457365

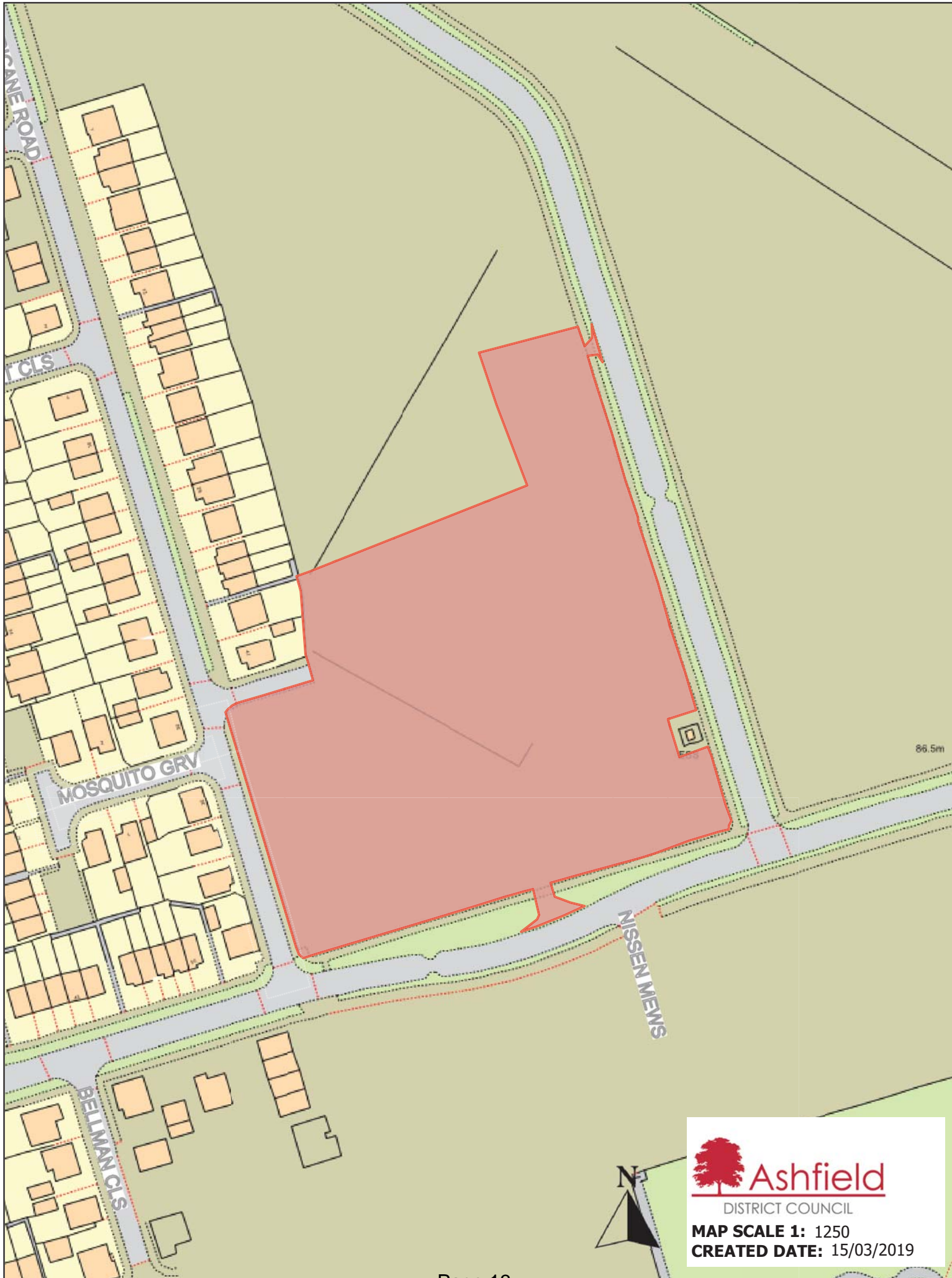
E-mail: c.cooper-smith@ashfield.gov.uk

**PLANNING COMMITTEE – 26th June
2019**

Page	App No	Applicant	Recommendation	Proposal	Location
Hucknall West					
13-28	V/2019/0038	Muse Developments Limited	Approval	Reserved Matters Permission for Development of 45 Dwellings, 2 Flats and Commercial Space, Together with Associated Infrastructure and Roads.	Land to the East of Hurricane Road Hucknall
29-48	V/20180803	Persimmon Homes Nottingham And Muse Developments Ltd	Approval	Proposed Erection of 120no. dwellings (including 10% affordable housing) and associated infrastructure including accesses and landscaping (Re-Submission of V/2018/0150)	Land at Rolls Royce Watnall Road Hucknall
Hucknall North					
49-60	V/2018/0330	Mr S Mistry	Approval	Demolition of Existing Building and Erection of New Three Storey Apartment Block Containing 9 Apartment	Romans 8a Annesley Road Hucknall
Annesley Woodhouse					
61-86	V/2018/0393	Boyce Bros.	Approval	Residential Development for 44 houses and 1 flat including Associated Access, Parking, Infrastructure, Drainage, Landscaping and a Sports Pitch.	Annesley Miners Welfare Institute Derby Road Annesley Woodhouse
Dales					
87-90	V/2019/0298	Ashfield District Council	Approval	Display of 2 Vinyl Banners	Land Adjacent 80 Davies Avenue Sutton in Ashfield
91-96	V/2019/0224	Mr & Mrs Mathews	Approval	Single Storey Front Extension	112 Farndale Road Sutton in Ashfield

**PLANNING COMMITTEE – 26th June
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Huthwaite					
97-110	V/2018/0212	Mr M Fishleigh	Approval	Outline Application for Demolition of Existing Industrial Premises and Construction of Up To 23 Dwellings with Associated Access and Parking	The Pattern House Crossley Avenue Huthwaite
Jacksdale					
111-116	V/2019/0126	Ashfield District Council	Approval	Single Storey Rear Extension	50 Westdale Road Jacksdale
Stanton Hill and Teversal					
117-128	V/2019/0102	JCS Camping	Approval	Change of Use from Paddock to Caravan Park	The Campsite Silverhill Lane Teversal
Underwood					
129-138	V/2019/0068	Mr G Hodgman	Approval	Dwelling	Land Adjacent 15 Recreation Street Selston



86.5m



Ashfield
DISTRICT COUNCIL
MAP SCALE 1: 1250
CREATED DATE: 15/03/2019

COMMITTEE DATE 26/06/2019 **WARD** Hucknall West

APP REF V/2019/0038

APPLICANT A Smith Muse Developments Limited

PROPOSAL Reserved Matters Permission for Development of 45 Dwellings, 2 Flats and Commercial Space, Together with Associated Infrastructure and Roads.

LOCATION Land to the East of Hurricane Road, Hucknall, Nottingham

BACKGROUND PAPERS A; B; C; D; E; F; H; I; K

WEB LINK: <https://www.google.co.uk/maps/@53.0196117,-1.2245285,151m/data=!3m1!1e3>

App Registered 22/01/2019

Expiry Date 23/04/2019

Consideration has been given to the Equalities Act 2010 in processing this application.

This application has been referred to Planning Committee by Councillor Baron to discuss implications with the sites Master Plan and highways safety issues.

The Application

- This is an application seeking approval of Reserved Matters for 45 dwellings, 2 flats and commercial space (2 shop units), together with associated infrastructure and roads.
- This application is for phase 4 (as identified on the illustrative phasing plan), and is located directly to the south of the newly approved primary school.
- The application was deferred at the last Planning Committee to enable further discussions surrounding the retail element. For the benefit of new Committee Members, the first section sets out the wider background to the application and development; with a response to the Committees concerns set out afterward.

Background – Provision of Facilities for the Development Site

A hybrid planning application (Ref. V/2013/0123) was conditionally approved on 14th November 2014; the application comprised a new business park on 27.8ha of land with access from the A611; 31.2ha of residential development, including affordable dwellings; two access points off Watnall Road; public open space provision; a one form entry primary school; provision for community facilities; local retail facilities;

pub/restaurant; care home; strategic footpath & cycle link; and nature conservation enhancement on 58ha of green land.

The application was supported by a Parameter Plan which indicated the general layout of the proposals within the application site, including a Masterplan and Phasing Illustrations. The Parameter Plan envisaged that up to 900 dwellings could be accommodated within the allocated residential phases and that the community, retail and pub/restaurant facilities – shown for indicative purposes only - were more flexible and likely to change through the design of the reserved matters applications to follow.

The care home and school are both under construction, with the Green Infrastructure and Play Provision having already been provided in a timely way. Application reference V/2018/0150 for 120 dwellings, at phase 3, was recently refused by the Planning Committee on the basis it proposed residential development in the area indicated for a local centre on the original parameter plan. There were concerns that a failure to provide local centre facilities, as were originally envisaged, would diminish the functionality of the original masterplan and the community aspirations for the development. Thus, the proposals were considered to be contrary to the National Planning Policy Framework aim to achieve well designed places and create healthy communities (parts 8 and 12). In particular, paragraph 130, which states that planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme.

The applicant and land owner have given further consideration as to how the aspirations of the original masterplan can be achieved, within the context of the changes to the surrounding area, which has included the provision of additional facilities outside the site and concerns over the location of the facilities at the entrance to the site from a highways perspective. This application has been submitted to address these concerns.

The application shows the provision of two retail units and associated car parking, as well as the provision of 47 residential units. The shops are proposed to be located adjacent to the school and form a central location adjacent to other local facilities. In order to ensure the provision of the units in a timely manner a condition is proposed, which will restrict any more than 503 dwellings across the development being occupied, unless the retail units are provided and ready for occupation. It is, however, accepted that it may be some time before this number of units are occupied and it is likely to be 2 to 3 years under current completion rates for the site. However, there were no previous anticipated timescales for the local centre, so this ensures the provision of facilities sooner than may have otherwise occurred.

The 503 dwellinghouse number is derived from existing completions and approvals across the development site. The number of fully approved dwellings is presently 383, these are broken down as follows:

- **V/2014/0652** - Persimmon 171 units - Completed and fully sold.
- **V/2015/0267** - Harron Homes 99 units - Mostly completed and sold
- **V/2016/0525** - Harron Homes 113 units – Approximately 50% sold or under construction.

There is currently an ongoing planning application (Ref: V/2018/0803), for 120 units, which is a resubmission of the previously refused V/2018/0150 application. Approval of that application would take the total number of fully approved dwellings to 503. This application was also deferred at the previous Planning Committee.

The condition is to be applied to every subsequent housing application that comes forward, until the commercial elements are provided. This will ensure that the retail units will be provided, as well as allowing further housing development to come forward.

Previous Planning Committee

The application was deferred at the last Planning Committee to enable further discussions to take place between the Council and the applicant regarding the location, potential uses and amount of retail space on the development site.

Amount of Retail Space

The applicant has since produced an updated report with regard to the provision of retail accommodation. In summary, this identifies that:

- There is no interest from national convenience store operators in either the Watnall Road, or Shepherd Street locations.
- And that a national convenience store is a key factor in attracting other potential retail operators.
- There is limited demand for an independent local convenience store for Shepherd Street, although preliminary discussions are taking place with a local operator.

Potential Uses

The Planning Committee also discussed the potential for a Micro Pub and other Community Uses. In response, the applicant has identified the following:

- Rolls Royce has an existing community and leisure facility accessed from Watnall Road. This facility is open to Rolls-Royce employees and the general public.
- The facility provides sporting, gym facilities as well as a venue for wedding reception and parties.

- It is understood that the 'wet-lead' element of the community facility (i.e. social drinking) struggles financially.
- There a number of public houses and craft bar operators within the immediate vicinity including on Watnall Road.
- The property is situated within the heart of a residential scheme and is unlikely to benefit from passing trade from the wider Hucknall area.
- Passing trade is likely to be essential for the commercial viability of a craft bar/public house.
- The proximity of the building in relation to the school could result in complaints.

Location of Retail

Lastly, in terms of the concerns over the location of the retail element raised by members. The applicant has noted that the Highways Authority have raised concerns over the location of retail space on the main roundabout, due to potential parking and highways safety issues. They have also stated that the revised central location represents a more accessible location within the heart of the development for future residents.

Consultations

Site Notice and Press Notices have been posted together with individual notification of surrounding residents. Below is a summary of comments from consultees:

A.D.C Drainage - The Local Lead Flood Authority need to be consulted on this application.

A.D.C Landscaping – The Councils landscaping team have provided comments in respect of the sites landscaping, layout and boundaries. The salient points are listed below:

Layout

- The pedestrian link between plots 33 and 36, along with the retention of trees along the main routes is welcomed.
- Consideration needs to be given to the road terminating between plots 7 and 8, with bollards provided.

Boundary Treatments

- The boundary treatments are generally acceptable; however, a few changes are recommended - including the inclusion of metal railings along the primary frontage facing Lovesey Street.

Landscaping

- The approach and strategy of landscape design is supported; however, some changes/clarifications are required to certain species.

Severn Trent - Foul water is proposed to discharge into the public foul water sewer, which will be subject to formal section 106 sewer connection approval. Surface water

is proposed to discharge to a watercourse in the established SUDs scheme, therefore no further comment is made.

Local Lead Flood Authority – No objections.

NHS Nottingham North and East Clinical Commissioning Group – Originally requested an obligation toward healthcare provision, this is a Reserved Matters proposal and that all the financial contributions have been secured through the existing Section 106, which included Healthcare contributions. The CCG responded acknowledging this.

NCC Highways -

- The number of spaces for the retail units should be increased to 14 in the interests of highways safety.
- Parking spaces should have sufficient visibility and width.
- The gravel strips should be removed from the layout.
- A means of preventing unauthorized vehicular access from Hurricane Road will be needed, such as a bollard.

All these elements have either been addressed through amended plans, or conditions.

Policy

Having regard to Section 38 of the Planning and Compulsory Purchase Act 2004 the main policy considerations are as follows:

National Planning Policy Framework [NPPF] 2018

- **Part 5** - Delivering a sufficient supply of homes.
- **Part 6** - Building a strong, competitive economy.
- **Part 8** - Promoting healthy and safe communities.
- **Part 9** - Promoting sustainable transport
- **Part 12** - Achieving well-designed places.
- **Part 15** - Conserving & enhancing the natural environment.

Ashfield LP Review 2002 – Saved Policies

- **HG3** - Housing Density
 - **HG4** - Affordable Housing.
 - **HG5** - New Residential Development
 - **HG6** - POS in New Residential Developments
 - **RC2** - Open Areas
 - **ST1** - Development
 - **ST2** - Main Urban Areas
-
- **Ashfield Residential Design SPD 2014**
 - **Ashfield Residential Car Parking Standards SPD 2014.**

- **Nottinghamshire County Council - The 6 C's Design Guide**

Relevant Planning History

V/2013/0123: Hybrid outline planning application for a business park; residential development; two access points off Watnall Road; public open space provision; a one form entry primary school; provision for community facilities; local retail facilities; pub/restaurant; care home; strategic footpath & cycle link; and nature conservation enhancement. Conditionally Approved and subject to a S106 Agreement, 14/11/14

V/2014/0585: Application for Reserved Matters following the hybrid outline consent for Phase 1 Infrastructure. Approved 19/3/15

V/2014/0652: Application for Reserved Matters following the hybrid outline consent, in respect of the Phase 1 development of 171 dwellings for Persimmon Homes. Conditionally Approved 5/6/15.

V/2015/0267: Application for Reserved Matters following the hybrid outline consent, in respect of the development of 99 dwellings for Harron Homes. Conditionally Approved 28/7/15.

V/2016/0525: Application for Reserved Matters following the hybrid outline consent, in respect of Phases 6 & 7, for a development of 113 dwellings for Harron Homes. Conditionally Approved 7/12/16.

V/2018/0298: Proposed 210 place primary school and 26 place nursery school. Conditionally Approved by the Nottinghamshire County Council on 6/7/18.

V/2018/0150: Application for approval of reserved matters following outline approval V/2013/0123 – proposed erection of 120 dwellings and associated infrastructure including access and landscaping. Refused.

Comment:

ASSESSMENT

The main considerations in assessing the application are layout & design; residential amenity; visual amenity; and highway safety. These are discussed below:

Principle

The application is located within the main urban area of Hucknall where, under the provisions of the ALPR 2002, Policy ST2, the principle of the development is acceptable. Moreover, the principle of development on the site for residential purposes has been established through the hybrid planning approval (reference V/2013/0123). As this is a Reserved Matters application, the principal of development is not for consideration.

Layout

Consideration has been given to Part 12 of the National Planning Policy Framework 2018 on achieving well designed places, during the processing of this application. In terms of local policy, consideration must be given to saved Policy HG5 – New Residential Development, of the APLR 2002, which states that new development will be approved where it is acceptable in terms of appearance, scale and landscaping.

The development site is located centrally within the site, adjacent the school to the north, with housing surrounding the sites other boundaries. A new access is proposed off Lovesey Avenue serving the residential element, with a separate access taken off Shepherd Street - serving the two retail units.

The proposed housing is arranged with an active frontage facing onto Lovesey Street, with the rear gardens and side elevation of properties facing onto both Shepherd Street and Hurricane Road. This arrangement has been designed sympathetically to ensure the primary green routes – agreed during the outline master planning stage – are not undermined.

The proposal provides good pedestrian permeability through the site, with a pedestrian links formed between plots 33 and 36. This encourages pedestrians from this phase, and others, to walk to the newly created retail units.

Residential Amenity

The houses and gardens are proposed to be laid out to ensure sufficient privacy and outlook, with the separation distances complying with the Councils minimum required distances, as set out in Supplementary Planning Guidance. Only the separation distance of plots 16/17 to plot 29 falls below the 21m required, however at a distance of 20.5m, it is still considered the future residents will be afforded sufficient levels of privacy.

The neighboring properties to the north-west on Hurricane road are located slightly lower (approx. 0.5m) than plots 14-18, however the separation distance exceeds the Councils minimum standards at this point. Achieving these separation distances ensures there would be no adverse impact on existing and approved properties in terms of overlooking or overbearing.

In terms of garden sizes, 87% would comply with the Councils Residential Design Guide SPD (2014). The two flats would be afforded no amenity space; however, the wider site provides a high standard and level of public open space, which has been delivered. The proposal is also located in close proximity to the Green Belt. As a result, it is considered that future residents would still be afforded a high standard of living.

Appearance and Scale

The proposed development consists of 2,3 and 4 bed residential, with the retail units containing flats above. The buildings are all two storey. The scale of the proposals is acceptable and in keeping with those across the development site.

The buildings appear of a good standard of design, with a mixture of traditional and modern materials. This includes the use of red and buff brick, light color render and slate effect roofs. The overall appearance of the development is considered to be of a good standard and will add to the character of the area.

Landscaping and Boundaries

The application is supported by a landscaping plan and includes details of boundary treatments. The scheme has been assessed by the Councils Landscaping Officer and appropriate changes made. The overall landscaping is considered to be acceptable, with the use of trees, shrubbery and grassed areas to break up plot frontages, creating an attractive entrance to the development phase.

The applicant has submitted full details of the site and plot boundaries. The general arrangement includes a wall and fence adjacent to the primary spine roads (Hurricane Road and Shepherd Street), with the use of metal bow top fencing to the main plot frontages facing onto Lovesey Avenue. The proposed boundary treatments create an aesthetic edge to the surrounding streets.

Highways Matters

The parking provision was increased from the original proposals on the advice from the Highways Authority. The proposed retail units are to be served by a total of 14 parking spaces, including provision for disabled parking.

The proposed retail units are being provided more centrally within the development, contrary to the original parameter plan, which showed them – for indicative purposes only – at the junction with Watnall Road. The Highways Authority have, however, identified that their preference would be for shops located further within the development site, as is now indicated. This is to avoid highways safety issues at the main access with Watnall Road, due to the high potential for instances of sporadic and opportunistic parking by users of the retail units.

The Highways Authority have requested certain changes to the scheme including: the removal of permitted development rights for fences, adequate visibility for parking spaces, removal of gravel strips and treatment to the end of the westernmost stub to prevent authorized vehicular access off Hurricane Road. These elements have either been amended, or are to be controlled through planning condition.

In light of the above, the proposal is considered to raise no highways safety concerns.

Other Matters

Heritage

The proposal is located approx. 300m from the Listed Grade II hangers found to the north east of the development. There is an intervening phase of housing development - approved as part of the outline plan - between the dwelling and listed buildings. As a result of the separation distance and intervening phase of housing development, the proposal is considered to result in no harm to the setting, or significance of the Listed Buildings. The impact of housing development was also fully considered at outline phase.

Section 106

The section 106 agreement dictates that 10% affordable housing should be provided. The applicants submitted plan shows the provision of 5 affordable units and their location.

Planning Balance and Conclusion

The layout, appearance, scale and landscaping of the proposed phase is considered to be acceptable. The phase would provide two commercial units for the wider development site, providing facilities within easy walking distance in a more central location for the new community, which is also preferable from a highways safety perspective.

The wider development has provided significant economic and social benefits and value for the community: through the provision of new homes, primary school, public open space and care home. Approval of this application would assist in ensuring these benefits continue to be provided.

Recommendation: - Approval subject the conditions outlined below:

CONDITIONS

1. The development to which this approval relates shall be begun not later than the expiration of 2 years of this approval.
2. The hereby approved development shall be undertaken in accordance with latest revisions of the plans and details as indicated on the following drawing lists:
 - Drawing Register and Issue Sheet JR.03 dated 18/03/2018
 - Document & Drawing Issue Sheet by WSP dated 04/03/2018 (with the site plan as amended by Drg No. 391/13 (02)002 Rev C)
3. No more than 503 dwellings across the whole development (approved under the hybrid permission V/2013/0123, as amended by Section 73 application V/2015/0633) shall be occupied, prior to the retail units (approved under

V/2019/0038) being built to shell standard and ready for letting to potential operators.

4. The two retail units hereby approved, as detailed on plan reference Dwg. No. 391/13(02)030 Rev A, shall consist of the following uses only: A1, A2 or A3 Use, as set out in the Town and Country Planning (Use Classes) Order 1987 (as amended).
5. Prior to the installation of any externally mounted plant or equipment (e.g. air conditioning, extraction, heating, cooling units etc.) and any internally mounted equipment which vents externally, details of any such equipment, including details of method of construction, odour control measures, noise levels, appearance and finish shall be submitted to and approved in writing by the Local Planning Authority. The plant and equipment shall be installed in accordance with the approved details and operated and maintained in accordance with the manufacturers instructions for the lifetime of the development. No such equipment other than that approved shall be installed.
6. The retail use shall take place during the following hours only: 0700 to 2300 only Monday to Sunday.
7. The loading or unloading of delivery vehicles for the retail units shall not take place between the following hours: 19:00pm to 07:00am Monday – Sunday.
8. The retail units shall not be occupied until the parking, turning and servicing areas have been provided in accordance with the approved plans, unless required to be varied by condition 18. The parking, turning and servicing areas shall not be used for any purpose other than parking, turning, loading and unloading of vehicles, and shall be maintained for the lifetime of the development.
9. Prior to the occupation of any dwelling, a report, based upon BS5930 - 'Code of Practice for Site Investigations', shall be submitted to and approval in writing by the Local Planning Authority, confirming the potential level of contaminants within any site won soils and/or for any intended importation of top soils to be used on the garden areas and public areas of the development. The soils should be free from metals, plastics, wood, glass, tarmac, paper and odours associated with contaminated soils as specified in BS3882:1994 - 'Specification for Topsoil'.
10. The landscaping arrangements shall be undertaken in accordance with the latest plans and specifications detailed on the 'Re-form landscape architecture – Drawing Issue Sheet' dated 18th March 2019. All planting, seeding or turfing indicated on the approved landscaping scheme shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or

plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

11. The trees surrounding the perimeter of the development site forming the primary green routes of the development (agreed through the masterplan), shall be protected in accordance BS:5837:2012. Any trees that require felling for the purpose of the creation of a new access shall be replaced within the next available planting season, with the details submitted to and agreed in writing by the local planning authority.
12. Prior to the commencement of any works on site, full details of the new roads shall be submitted to and approved in writing by the Local Planning Authority, including longitudinal and cross sectional gradients, street lighting, parking & turning facilities, access widths, gradients, surfacing, visibility splays, drainage & outfall proposals, construction specification, provision of and diversion of utilities services, materials and any proposed structural works. Drawings must indicate key dimensions. All details submitted for approval shall comply with the Nottinghamshire County Council's current Highway Design Guide and shall be implemented as approved at Section 38 Agreement stage under the Highways Act 1980.
13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development relating to class A of Part 2 of Schedule 2 (Erection of walls, fences or other means of enclosure) shall be undertaken without the prior written approval of the Local Planning Authority.
14. Any proposed soakaways shall be located at least 5m to the rear of the highway boundary.
15. No part of the development hereby permitted shall be brought into use until all drives and any parking or turning areas are surfaced in a hard bound material (not loose gravel), for a minimum of 6 metres behind the highway boundary, with appropriate drainage to prevent the transfer of surface water to the highway. The surfaced drives and any parking or turning areas shall then be maintained in such hard bound material with suitable drainage for the life of the development.
16. The parking areas, including detached and integral garages, shall be kept available solely for the parking of vehicles at all times and for no other purpose and permanently retained as such thereafter.

17. No development shall commence on site until a construction management plan has been submitted to and approved in writing, this shall include details of working hours, wheel washing facilities, parking for site operatives & visitors; loading & unloading areas and storage of plant & materials.
18. Prior to occupation of the retail units, details of cycle stands serving the retail units shall be provided to and agreed in writing by the Local Planning Authority. The cycle stands shall be erected prior to the occupation of the retail units and maintained as such in perpetuity.

REASONS

1. To comply with Section 92 of the Town and Country Planning Act 1990 as amended.
2. To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application.
3. To ensure that community facilities are provided.
4. In the interests of residential amenity.
5. In the interests of residential amenity.
6. In the interests of residential amenity.
7. In the interests of residential amenity.
8. In the interests of highways safety.
9. To ensure the site is developed free from contaminants.
10. In the interests of visual amenity.
11. In the interests of visual amenity.
12. In the interests of highways safety.
13. In the interests of highways safety.
14. In the interests of highways safety.
15. In the interests of highways safety.
16. In the interests of highways safety.
17. In the interests of residential amenity.
18. In the interests of sustainability.

INFORMATIVE

1. This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act 1990 and dated 14th November 2014, attached to the outline planning permission Referenced V/2013/0123.
2. The submitted Reptile Report Survey prepared by Jennifer Britt of Delta Simons is considered sufficient to discharged condition 17 of the Outline Permission for this phase only.
3. The applicant's attention is drawn to the planning conditions attached to this permission that require you to resolve certain matters BEFORE work commences. If work commences without first complying with the terms of the conditions then any work undertaken will be UNAUTHORISED and may be the subject of future Enforcement Action.
4. Severn Trent Water advise that although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.
5. Landowners, individual property owners and users are responsible for managing the drainage of their own land. The applicant must satisfy themselves that drainage is managed in such a way as to prevent adverse impacts of neighbouring land. The council take no responsibility for incorrect information or interpretations made by the applicant or their representatives. The responsibility for the checking of the design, calculations and details remain with the developer, or agent acting on their behalf.
6. The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the HA. The new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for road works.
 - a) The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the HA with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the HA as early as possible.

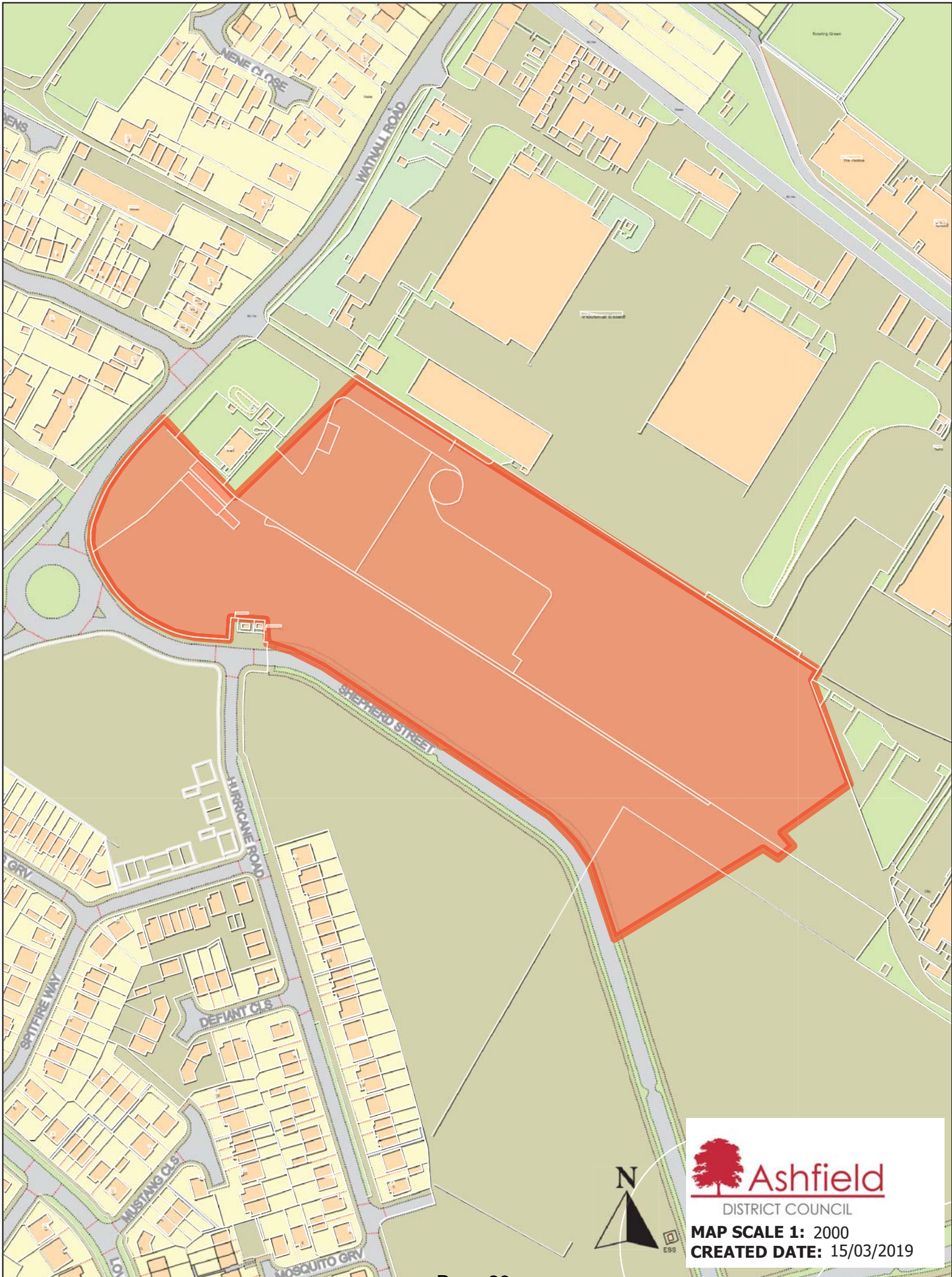
b) It is strongly recommended that the developer contact the HA at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance. It is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council in writing before any work commences on site.

Correspondence with the HA should be addressed to hdc.north@nottscc.gov.uk or in writing to:

Highways Development Control
Nottinghamshire County Council,
Highways North,
Welbeck House,
Darwin Drive,
Sherwood Energy Village,
Ollerton,
Nottinghamshire,
NG22 9FF.

2/ Any relevant details submitted in relation to a reserved matters or discharge of condition planning application are unlikely to be considered by the Highway Authority until after the relevant technical approval is issued.

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Ashfield
DISTRICT COUNCIL
MAP SCALE 1: 2000
CREATED DATE: 15/03/2019

COMMITTEE DATE 26/06/2018 **WARD** Hucknall West

APP REF V/2018/0803

APPLICANT Persimmon Homes Nottingham & Muse Developments Ltd

PROPOSAL Proposed Erection of 120no. dwellings (including 10% affordable housing) and associated infrastructure including accesses and landscaping (Re-Submission of V/2018/0150)

LOCATION Land at Rolls Royce, Watnall Road, Hucknall, Nottingham NG15 6EU

BACKGROUND PAPERS A; B; C; D; E; F; H; I; K

WEB LINK: <https://www.google.co.uk/maps/@53.0196117,-1.2245285,151m/data=!3m1!1e3>

App Registered 24/12/2018

Expiry Date 25/03/2019

Consideration has been given to the Equalities Act 2010 in processing this application.

This application has been referred to Planning Committee by Cllr Baron to discuss the implications with the site master plan and highways safety. Cllr Kier Morrison has also called in the application on the grounds of lack of local amenities - both retail and health, over intensification and traffic & car parking issues.

THE APPLICATION

This is a reserved matters application for the erection of 120 dwellings and associated infrastructure, access and landscaping. The application is a resubmission of previously refused planning application V/2018/0120.

It proposes a mix of house types comprising 24 x 2 beds; 60 x 3 beds; 26 x 4 beds; & 10 x 5 beds. Within this, the required 10% affordable dwellings [12 in total, 6No. 2 and 6No. 3 beds] will be provided. The total number of dwellings equates to a site density of around 34 dwellings / hectare.

The application was deferred at the previous planning committee to enable further discussions to take place between the Council and developer(s) regarding the location, potential uses and amount of retail space on the development site. The

outcome of these discussions and the Master Developers response is contained within the previous report (V/2018/0803).

BACKGROUND

The previous application (V/2018/0150) was refused on the basis it provided residential, in an area identified for a local centre on the original Masterplan. Without such facilities, the proposal was considered to undermine future levels of amenity offered to residents and be out of keeping with the agreed outline masterplan.

Following constructive discussions with landowners and developers, an alternative approach has been established to reflect changes in the wider locality and provide centralised facilities, which enables local residents to have easier access to facilities and avoids highways safety issues.

An application has been submitted (Ref: V/2019/0038), which now shows retail units being provided in phase 4. It is proposed that both these applications, as well as any subsequent application, will be subject to a condition requiring the retail units to be built prior to occupation of the 503rd dwelling house across the development as a whole.

CONSULTATIONS

A Press Notice has been published and a Site Notice posted, together with individual notifications to surrounding residents and statutory consultees. The site has also been advertised as development which could potentially impact upon the setting of a listed building.

The following representations have been received: -

Broxtowe Borough Council

No objections

Ashfield District Council Environmental Protection [Contamination & Land Stability]

Contamination and land stability issues were dealt with under the 2013 outline application. A condition is however recommended to ensure that any imported topsoil is clean and suitable for purpose.

Environment Agency

No objections to the development, but would advise that the NCC Lead Local Flood Team should be consulted.

Local Lead Flood Authority (LLFA)

Originally objected to the planning application, owing to a lack of information relating to surface water. The applicant has since provided a supporting statement and drainage plans. The LLFA have raised no further issues.

NHS Nottingham North & East Clinical Commissioning Group (CCG)

Originally requested an obligation toward healthcare provision, however this is a Reserved Matters proposal and all the financial contributions have already been secured through the Section 106, which accompanied the initial outline approval in 2013. This included Healthcare contributions. The CCG responded acknowledging this.

Nottinghamshire Wildlife Trust

No comments received

Nottinghamshire County Council Rights of Way

No objections

Nottinghamshire County Council Planning Policy

Acknowledge that contributions towards highway and transport facilities and education formed part of the initial outline approval and S106 Agreement.

Nottinghamshire County Council Highways

It is understood the previous application was refused due to the lack of retail/community space – originally planned for the northwest corner of the site. However, if provided in this location, there would be highways safety concerns, particularly surrounding the issue of problem parking on Watnall Road.

The development has evolved to address original highway standard concerns and as such, the HA have requested that if the Local Planning Authority are minded to grant the application, conditions are included to maximise parking over the lifetime of the development.

This includes conditions to ensure that garages are not converted; walls/fencing are not erected which may obstruct the use of parking bays; that all bays be of appropriate size; that garage door mechanisms do not prevent the use of the spaces in front and a Traffic Regulation Order is placed fronting plots 88 to 100.

Ashfield District Council Environmental Protection [Noise]

Request a condition that prior to the advancement of construction beyond damp proof course level, on Plots 1-4; 43-49; 56-62; 69-72; 74-76; & 77-79 inclusively, a noise impact assessment be undertaken to ensure that at each dwelling, the noise from the commercial activities shall not exceed a noise rating level of background +5dB.

Ashfield District Council Landscape

These drawings show a typical landscape treatment well suited to new residential developments and are acceptable. It is recommended: the proposals are checked against approved infrastructure to avoid clashes, hard landscaping proposals are provided and boundary treatments shown.

Ashfield District Council Heritage

An assessment of the significance of the site was submitted with the original outline application (V/2013/0123). Conservation previously advised that the proposed residential development would be harmful to the setting of the Grade II listed hangars, although this harm would be less than substantial and public benefits must weigh in favour to approve development.

A.D.C Heritage have raised concerns that the proposed layout fails to take suitable opportunity to enhance the setting and mitigate harm of listed hangars, primarily through the lack of suitable viewpoints. They have however noted that the opportunity to introduce new views of the hangars is welcomed and that an opportunity for on-site interpretation of the history of the site, should be taken, perhaps at an area where the view of the hangars is best. This is proposed to be subject to a planning condition.

Severn Trent Water Authority [STWA]

No comments received

Community Representations

A total of 31 letters of objection have been received on the following grounds:

- The land was earmarked for retail/leisure/community facilities and these should be provided on such a large development.
- A failure to provide facilities will lead to increased traffic on Watnall Road.
- Local facilities should be within walking distance, this is especially important for disabled and elderly residents.
- The facilities being located further into the estate will take longer for existing residents to walk.
- The best location is within this phase as commercial operators will not take on retail units within a housing estate.
- The bus service promised is not yet in operation and the bus services is generally substandard in the area.
- Questions over the spending of the Section 106 monies.
- The three storey buildings could impact on views.
- Loss of fields and open space.
- The proposed 120 homes will cause traffic problems, which are already a problem.
- That Hucknall does not require any more homes.

Policy

PLANNING POLICY CONSIDERATIONS

National Planning Policy Framework [NPPF] 2018

- **Part 5** - Delivering a sufficient supply of homes.

- **Part 6** - Building a strong, competitive economy.
- **Part 8** - Promoting healthy and safe communities.
- **Part 9** - Promoting sustainable transport
- **Part 12** - Achieving well-designed places.
- **Part 15** - Conserving & enhancing the natural environment.

Ashfield LP Review 2002 – Saved Policies

- **HG3** - Housing Density
- **HG4** - Affordable Housing.
- **HG5** - New Residential Development
- **HG6** - POS in New Residential Developments
- **RC2** - Open Areas
- **ST1** - Development
- **ST2** - Main Urban Areas

Ashfield Residential Design SPD 2014

Ashfield Residential Car Parking Standards SPD 2014.

Nottinghamshire County Council - The 6 C's Design Guide

Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990 – Section 66

Relevant Planning History

V/2013/0123 : Hybrid outline planning application for a business park; residential development; two access points off Watnall Road; public open space provision; a one form entry primary school; provision for community facilities; local retail facilities; pub/restaurant; care home; strategic footpath & cycle link; and nature conservation enhancement. Conditionally Approved and subject to a S106 Agreement, 14/11/14

V/2014/0585 : Application for Reserved Matters following the hybrid outline consent for Phase 1 Infrastructure. Approved 19/3/15

V/2014/0652 : Application for Reserved Matters following the hybrid outline consent, in respect of the Phase 1 development of 174 dwellings for Persimmon Homes. Conditionally Approved 5/6/15.

V/2015/0267 : Application for Reserved Matters following the hybrid outline consent, in respect of the development of 99 dwellings for Harron Homes. Conditionally Approved 28/7/15.

V/2016/0525 : Application for Reserved Matters following the hybrid outline consent, in respect of Phases 6 & 7, for a development of 113 dwellings for Harron Homes. Conditionally Approved 7/12/16.

V/2018/0298 : Proposed 210 place primary school and 26 place nursery school. Conditionally Approved by the Nottinghamshire County Council on 6/7/18.

V/2018/0150 : Application for approval of reserved matters following outline approval V/2013/0123 – proposed erection of 120 dwellings and associated infrastructure including access and landscaping. Refused.

V/2019/0038 : Reserved matters permission for development of 45 dwellings, 2 flats and commercial space, together with associated infrastructure and roads. Pending

ASSESSMENT

The main considerations in assessing the application are layout & design; residential amenity; visual amenity; and highway safety. These are discussed below.

THE SITE

The application site is located on the edge of the urban fringe of Hucknall at the southern tip of the Ashfield District. It forms part of the redevelopment of the former Rolls Royce site and Hucknall Airfield, located across the northern part of the site, adjoining and immediately south of the existing industrial / business park.

This particular phase extends to around 3.4 hectares, with access being taken from the existing main distributor road. The site lies adjacent to the newly created roundabout off Watnall Road, with the proposed site of the new primary school on Hurricane Road being found to the south.

Principle

The application is located within the main urban area of Hucknall where, under the provisions of the ALPR 2002, Policy ST2, the principle of the development is acceptable. Moreover, the principle of development on the site for residential purposes has been established through the hybrid planning approval reference V/2013/0123. As this is a Reserved Matters Application, the principle of development is not for consideration.

Layout & Design

The site is constrained by the alignment of the main distributor road and the wider site boundary to the north. The Highway Authority encouraged minimum road junctions from this spine road, which is also a planned bus route and equally, wished to minimize the number of direct driveway access points onto it. The primary access is taken approximately 125m east of the roundabout junction on Watnall Road, from which the bulk of the estate is accessed. A second road off the main spine, at the eastern extreme of the site, will serve 14 units and additionally offer future access proofing for potential development land to the north.

The internal site layout has been the subject to scrutiny and significant improvements have been achieved in terms of highway safety; traffic calming

measures; refuse vehicle manoeuvring and, crucially, on-plot and on-street parking, reflected in the Highway Authority's acceptance of the latest scheme.

An important element to the scheme design was the treatment of the western edge, adjacent to Watnall road and the roundabout junction. Through pre-application discussions, the Council have maintained the importance of providing a prominent and attractive frontage development, mirroring the scale of the proposed care home facility on the opposing corner and providing the site with an imposing entrance.

The proposal now includes for the development of a crescent arrangement of 12No. 3 storey semi-detached dwellings, utilising the Leicester and Greyfriars types, with a single 2 storey Hatfield type on the eastern end of the 'row'. A deep landscaped frontage is proposed behind the footpath and verge through which limited pedestrian access to these dwellings is taken and parking provision is provided to the rear.

The remainder of the site layout primarily provides frontage car parking, principally for dwellings without garages, whilst maintaining as far as possible the private amenity space to dwellings. A balance has been struck between the need for car parking, manoeuvrability and housing density.

Impact upon Residential

Existing Residents

The proposed site will have little impact upon existing residential amenity by virtue of its location. The recently completed residential developments to the south are remote from this site and segregated by the proposed care home facility and new primary school. To the east, the residential phases are yet to be proposed. To the north, the site is bounded by the industrial / commercial estate.

The dwellings potentially affected by the development are located on the western side of Watnall Road, Nos. 444 to 464. Plot 88 is the closest dwelling, a distance of 30m from No. 446 and 36m from No. 448 Watnall Road. No. 464 Watnall Road is around 100m from the nearest dwelling and views the site across the roundabout itself. Half of these dwellings are also separated from the site by a service road created by the re-alignment of Watnall Road and provision of the roundabout junction.

Plots 88 to 99 forming the crescent to the western site boundary are 3 storey dwellings, with the finished floor levels proposed to sit roughly level with, or below, Watnall road. However, given the separation distances to the existing properties, it is considered that there will be no adverse visual impact and/ or loss of residential amenity of these neighbouring properties.

In terms of wider visual impact, for like reasons, the effect will be limited due to the location of the site and the neighbouring uses.

Future Residents

Amenity afforded to future occupants is governed by the Council's Residential Design Guide SPD 2014. The houses and gardens are proposed to be laid out to ensure sufficient privacy and outlook. Some plots do remain where the private amenity space is slightly below standard (approx. 24%), however the remainder of the dwellings (approx. 76%) exceed the Council's standards. This is considered to be acceptable when factoring into account the developer has provided a substantial area of open space within a five-minute walk from this phase, and that the development is also in close proximity to the Green Belt. Overall, it is considered that future residents would be offered a high standard of living.

Visual Amenity

The intent of the outline permission was to ensure that the site entrances created welcoming and attractive development frontages. Through negotiation with the developer, it is considered that the proposed crescent of 3 storey dwellings will satisfactorily achieve this, mirroring the scale and prominence of the proposed care home facility to be developed on the opposite side of the roundabout which completes the attractive visual impact of the site entrance.

The application is supported by a detailed landscaping scheme which includes pepper potting of trees; the inclusion of turfed front and exposed side gardens; & ornamental hedging and fencing with climbers along boundary lines and street frontages. All of this will soften the street scene impact and provide some mitigation for the high percentage of frontage parking. Crucially, the frontage to the crescent of dwellings, plots 88 – 100 will be more substantially landscaped zone, linking in to the 'boulevard' aspirations for the spine road frontage.

The scheme has been assessed by ADC's Landscape Officer who confirms that the landscape proposals are considered satisfactory, subject to the provision of conditions as detailed in their consultation response, particular to ensure that there is no conflict with the previously agreed infrastructure, street furniture and spine road grass verge / tree lined boulevard intent.

Highway Safety

The Highways Authority have raised concerns over the rear parking to plots 88-100, with them being 'unseen' and potentially less likely to be used by residents. Additional concerns are also raised over the amount of parking to the frontage - reducing opportunity for on-street parking. It is of concern that this could lead to indiscriminate parking and highways safety problems.

To overcome this issue, it is proposed to provide Traffic Regulation Order around the site entrance. It noted that the scheme complies with the Council's Residential Car Parking Standards Supplementary Planning Guidance (2014).

This phase has been subject to much discussion with the Highways Authority, whom have raised no objections, subject to the use of appropriate planning conditions. As a result, there are no highways safety concerns associated with this application.

Section 106

Affordable Housing

As required by the S106 Agreement accompanying the outline planning permission a minimum of 10% of dwellings developed should be affordable, generally expected to be pepper-potted across the site. The application proposes a total of 120 dwellings of which 12 will be affordable, thereby meeting the requirements of the S106. The dwellings are provided in 4 blocks of 3 unit terraces, providing 6 x 2 bed [social rented homes] and 6 x 3 bed [intermediate homes, i.e. shared ownership or low cost market] dwellings, all located along the northern site boundary.

Financial Contributions

The 2014 S106 Agreement includes, within Schedules 1 & 2 for financial contributions to be paid for items including Primary Education; Secondary Education; Libraries; Public Open Space; & Transport. Said contributions become due at certain, varying trigger points, usually concerning the numbers of dwellings completed. The applicant will be advised by an informative of this decision of the outstanding obligations placed upon them by this Agreement.

Health

Healthcare Contributions have already been agreed for the wider development at £833 per dwelling.

Other Matters

Heritage

The Council's Heritage & Conservation Officer raised concerns with the outline planning application - on the grounds that residential development of the land would be considered harmful to the setting of the Grade II aircraft hangars - although the harm is considered to be less than substantial. A balanced judgement, was ultimately taken that the public benefits of the scheme outweighed the harm.

The Heritage & Conservation Officer has raised similar concerns to the current application, but states that the opportunities introduced to view the hangars, as depicted on the site layout, is welcomed and is likely to be the most practicable solution to ensuring the hangars maintain a degree of relationship with the former airfield land. The harm is, again, considered to be less than substantial. It is also noted that the significance of the application site to the history and understanding of the listed hangars has been much reduced by the building of new residential development.

The scheme retains two open ended culs-de-sac facing north which will permit views beyond the site boundary and through to the listed hangars, thereby maintaining an element of connectivity between the hangars and the former airfield. The opportunity to provide on-site interpretation of the history of the site and the proximity to the hangars can be accommodated within an area to be adopted a highway land adjacent Plot 59 within the cul-de-sac facing the eastern hangar. A condition will be appended in this respect.

Bus Service Provision

Residents have raised the issue of bus service provision. The bus service contribution has already been paid by the developer. It is understood that the timetable for the new service, which is to loop through the residential development is agreed. Trent Barton are currently surveying the route and are yet to provide a start date.

Location for Shops

The proposed retail units are provided in a more central location within the development site. These are subject to a separate application. Residents in the nearby area (outside the development), have raised concerns that locating the shops further into the development will increase walking times for themselves. Concerns have also been raised that the corner with Watnall Road is a more commercial preferable location.

The Highways Authority have identified that their preference would be for shops to be located further within the development site, to avoid highways safety issues on the main access with Watnall Road. A condition is also proposed to ensure these are delivered.

CONCLUSIONS

A previous application was refused on the basis it failed to provide a local centre contrary to the outline Master Plan. Discussions have subsequently been held with landowners and developers - with the concerns of members and the community being taken on board. A separate application has now been submitted, which will provide retail facilities for the new community.

The wider development has provided significant economic and social benefits and value for the community, and will continue to do so through the provision of housing, retail units, a primary school, care home and Section 106 contributions. It is considered that, on balance, the proposal is in accordance with both national and local planning policies as set out within the National Planning Policy Framework 2018; the Ashfield Local Plan Review 2002; supplementary planning documents; and is consistent with the principles of the outline planning approval.

RECOMMENDATION: Approval, subject to the conditions detailed below.

CONDITIONS

1. The development to which this approval relates shall be begun not later than the expiration of 2 years from the date of this approval.
2. No more than 503 dwellings across the whole development (approved under the hybrid permission V/2013/0123, as amended by Section 73 application V/2015/0633) shall be occupied, prior to the retail units (approved under V/2019/0038) being built to shell standard and ready for letting to potential operators.
3. This permission shall be read in accordance with the following plans:-
 - Location Plan No. TGDP/SWH-Ph3/LP1, Rev. A, received 27/12/18
 - Planning Layout No. TGDP/SWH-Ph3/PL2, Rev N, received 27/12/18
 - House Types
 - Alnwick, 2 bedroom, No. AN-WD101, received 27/12/18
 - Chedworth, 3 bedroom, No. CD-WD101, received 27/12/18
 - Clayton Corner, 3 bedroom, No. CCA-WD101, received 27/12/18
 - Corfe, 4 bedroom, No. CF-WD101, received 27/12/18
 - Greyfriars, 3 bedroom, No. GF-WD101, received 27/12/18
 - Hanbury, 2 bedroom, No. HB-WD101, received 27/12/18
 - Hatfield, 3 bedroom, No. HT-WD101, received 27/12/18
 - Kendal, 4 bedroom, No. KL-WD101 Rev A, received 27/12/18
 - Leicester, 3 bedroom, No. LR-WD101, received 27/12/18
 - Longthorpe, 4 bedroom, No. LG-WD101, received 27/12/18
 - Middlesborough, 3 bedroom, No. -/Middlesborough/101, received 27/12/18
 - Moseley, 3 bedroom, No. MS-WD101, received 27/12/18
 - Rufford, 3 bedroom, No. RF-WD101, received 27/12/18
 - Souter, 3 bedroom, No. SU-WD101, received 27/12/18
 - Sunderland, 2 bedroom, No. -/Sunderland/101, received 27/12/18
 - Warwick, 5 bedroom, No. WK-WD101, received 27/12/18
 - Single/Double Garage, No. SGD-12, received 27/12/18
 - Landscape Proposals, sheet 1 of 2, No.5662.01, Rev. E, received 9/10/18
 - Landscape Proposals, sheet 2 of 2, No.5662.02, Rev E, received 9/10/18
 - Tree Protection Plan, No.5662.04, Rev C, received 9/10/18
 - Proposed Levels Sheet 1, No. ADC1814/DR/601 Rev. P5, received 12/04/2019
 - Proposed Levels Sheet 2, No. ADC1814/DR/602 Rev. P5, received 12/04/2019

- Proposed Levels Sheet 3 No. ADC1814/DR/603 Rev. P5, received 12/04/2019
- Drainage Details Sheet 1 No. ADC1814-DR-561-P1 Rev P1, received 12/04/2019
- Drainage Details Sheet 2 No. ADC1814-DR-562 -P1 Rev P1, received 12/04/2019
- Foul Water Drainage Layout Sheet 1 No. ADC1814-DR-511. Rev P3, received 12/04/2019
- Foul Water Drainage Layout Sheet 2 No. ADC1814-DR-512. Rev P3, received 12/04/2019
- Foul Water Drainage Layout Sheet 3 No. ADC1814-DR-513. Rev P3, received 12/04/2019.
- Drainage Layout No. ADC1814-DR-500 Rev P2, received 12/04/2019.
- Surface Water Drainage Sheet 1 Layout No.1814/DR/501 Rev P5, received 12/04/2019.
- Surface Water Drainage Sheet 2 Layout No.1814/DR/502 Rev P5, received 12/04/2019
- Surface Water Drainage Sheet 3 Layout No.1814/DR/503 Rev P5, received 12/04/2019

The development shall thereafter be undertaken strictly in accordance with these plans unless otherwise agreed in writing by the Local Planning Authority.

4. Prior to construction advancing beyond damp proof course level on Plots 1-4; 43-49; 56-62; 69-72; 74-76; & 77-79 inclusively, a Noise Impact Assessment shall be undertaken to ensure that at each dwelling, the noise from the commercial activities to the north and east, shall not exceed a noise rating level of background +5dB. The Noise Impact Assessment Report shall be submitted to and approved in writing by the Council and any mitigation measures recommended shall be carried out in full prior to the occupation of the dwellings and thereafter maintained in perpetuity.
5. Prior to the occupation of any dwelling, a report, based upon BS5930 - 'Code of Practice for Site Investigations', shall be submitted to and approval in writing by the LPA, confirming the potential level of contaminants within any site won soils and/or for any intended importation of top soils to be used on the garden areas and public areas of the development. The soils should be free from metals, plastics, wood, glass, tarmac, paper and odours associated with contaminated soils as specified in BS3882:1994 - 'Specification for Topsoil'.
6. The materials for use in the external elevations and roof of the dwellings only shall be as detailed on the Charter Plan Drg Ref HP3/CP/01 Rev C.

7. No development shall be occupied until full details of the proposed treatment of the site's boundaries have been submitted to and agreed in writing by the Local Planning Authority. The boundary treatment shall thereafter be undertaken in accordance with the agreed details.
8. All proposed integral, attached and detached garages within the development shall be retained for the parking of vehicles at all times and shall not be converted for any other domestic or business purpose without the prior written consent of the Local Planning Authority.
9. Trees and shrubs shall be planted in accordance with the landscaping scheme drawings, submitted to the Local Planning Authority, as follows:-
 1. Landscape Proposals, sheet 1 of 2, No. 5662.01, Rev. E, received 9/10/18
 2. Landscape Proposals, sheet 2 of 2, No. 5662.02, Rev. E, received 9/10/18

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning authority gives written consent to any variation.

Notwithstanding the drawings detailed above and in advance of any commencement of these works, it is recommended that the landscape proposals are checked against the approved infrastructure drawings for the main spine road to avoid locational and species conflicts with any existing or proposed street furniture and tree planting already agreed in the highway verge.

10. No work shall commence on site until such time as the works, processes, recommendations and protection measures, as indicated on Drawing 'Tree Protection Plan' No. 5662.04, Rev. C, received 9/10/18; the Tree Survey Report, Ref. MG/5662/TSR/Feb18, received 6/3/18; & the Arboricultural Impact Statement & Method Statement, Rev. C, Ref. MG/5662/AIA&AMS/Rev C/Oct18, received 9/10/18, have been fully implemented and retained for the duration of the development, to ensure the protection of any retained and adjacent trees from damage before or during the course of development.
11. The hard landscaping shall be carried out in accordance with the details contained on the Charter Plan Drg Ref HP3/CP/01 Rev C.

12. Prior to the commencement of any works on site, full details of the new roads shall be submitted to and approved in writing by the Local Planning Authority, including longitudinal and cross sectional gradients, street lighting, parking & turning facilities, access widths, gradients, surfacing, visibility splays, drainage & outfall proposals, construction specification, provision of and diversion of utilities services, materials and any proposed structural works. Drawings must indicate key dimensions. All details submitted for approval shall comply with the Nottinghamshire County Council's current Highway Design Guide and shall be implemented in accordance with these details to the satisfaction of the Local Planning Authority.
13. Prior to the occupation of Plots 88 to 100 inclusive, an appropriate off-site traffic management scheme, to protect against the indiscriminate parking on Watnall Street / main development spine road, has been submitted to and approved in writing by the Local Planning Authority. Please refer to the Traffic Regulation Informative below.
14. All garage doors shall be set back from the highway boundary a minimum of 5.5 metres for sliding or roller shutter doors; 6.1 metres for up and over doors; or 6.5 metres for doors opening outwards. Prior to the occupation of dwellings with garages, details of the garage doors to be deployed shall be submitted to and approved in writing by the Local Planning Authority.
15. Plot 21 shall not be occupied until the existing traffic calming feature on the main development spine road has been re-sited in accordance with a drawing to be first submitted to and approved in writing by the Local Planning Authority.
16. Plots 1 to 14 (inclusive) shall not be occupied until a traffic calming scheme has been implemented in accordance with a drawing to be first submitted to and approved in writing by the Local Planning Authority.
17. Pedestrian visibility splays of 2.0 x 2.0 metres shall be provided on the accesses to Plots 1 to 22 (inclusive) and Plots 101 and 120 with the details first submitted to and approved in writing by the Local Planning Authority. The areas of land within these splays shall be kept free of all obstruction over 0.6 metres above the carriageway level at all times.
18. No part of the development hereby permitted shall be brought into use until all drives and any parking or turning areas are surfaced in a hard bound material (not loose gravel), for a minimum of 6 metres behind the highway boundary. The surfaced drives and any parking or turning areas shall then be maintained in such hard bound material for the life of the development.

19. Notwithstanding the provisions of the Town & Country Planning [General Permitted Development][England] Order 2015 [or any Order revoking and re-enacting that Order with or without modification] no development relating to;
- Schedule 2, Part 1, Class F
 - Schedule 2, Part 2, Class A, in so far as it relates to the frontage of all the dwellinghouses.
 - Schedule 2, Part 2, Class B, in so far as it relates to Plots 88 to 100 inclusively.
- shall be undertaken without the prior written approval of the Local Planning Authority.
20. No development shall commence on site until a construction management plan has been submitted to and approved in writing, this shall include details of working hours, wheel washing facilities, parking for site operatives & visitors; loading & unloading areas and storage of plant & materials.
21. Prior to the occupation of any dwelling, details of Integrated boxes for bats and birds, which should be incorporated into the fabric of all proposed garages, shall be submitted to and approved in writing by the Local Planning Authority.
22. Prior to the occupation of any dwelling, details of historic interpretation of the site and in particular the adjacent listed hangars shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the form and location of interpretation which is suggested could be sited within one of the 'viewing' culs-de-sac, potentially alongside Plot 59 immediately adjacent to the highway boundary.

REASONS

1. To comply with Section 92 of the Town and Country Planning Act 1990 as amended.
2. To ensure the retail facilities are provided.
3. To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application.
4. To safeguard the amenity of the future occupants of the dwellings.
5. To ensure that the site, when developed, is free from contamination, in the interests of safety.
6. To ensure the satisfactory appearance of the development.
7. To protect and safeguard the visual amenity of the area, to safeguard the amenities of future occupiers of the dwellings and in the interests of highway safety.

8. To ensure that the development takes place as envisaged by the Local Planning Authority and in the interests of the amenities of the locality.
9. To ensure the satisfactory overall appearance of the completed development and to help assimilate the new development into its surroundings.
10. The tree(s) in question are considered to be features of significance. This condition is imposed to ensure that they are satisfactorily protected during the period when construction works take place on the site.
11. To ensure the satisfactory overall appearance of the completed development and to help assimilate the new development into its surroundings.
12. To ensure the development is constructed to adoptable standards and in the interest of highway & pedestrian safety.
13. In the interests of pedestrian and highway safety.
14. To ensure the maximum amount of on-plot parking is provided throughout the development, in the interests of highway safety.
15. To ensure vehicles can enter and exit Plot 21 in a safe and controlled manner, in the interests of pedestrian and highway safety.
16. In the interests of highway safety.
17. In the interests of highway safety.
18. To reduce the chances of deleterious materials and surface water being transferred to the public highway, in the interests of highway safety.
19. To ensure that the Local Planning Authority can fully assess the impacts of any means of enclosure in the interests of retained parking provision and in the interests of the amenities of residents and highway safety.
20. To reduce the chances of deleterious materials and surface water being transferred to the public highway, in the interests of highway safety.
21. To protect and encourage local wildlife
22. In the interests of local heritage.

INFORMATIVES

1. This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act 1990 and dated 14th November 2014, attached to the outline planning permission Referenced V/2013/0123

2. The applicant's attention is drawn to the planning conditions attached to this permission that require you to resolve certain matters BEFORE work commences. If work commences without first complying with the terms of the conditions then any work undertaken will be UNAUTHORISED and may be the subject of future Enforcement Action.
3. Severn Trent Water advise that although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.
4. Landowners, individual property owners and users are responsible for managing the drainage of their own land. The applicant must satisfy themselves that drainage is managed in such a way as to prevent adverse impacts of neighbouring land. The council take no responsibility for incorrect information or interpretations made by the applicant or their representatives. The responsibility for the checking of the design, calculations and details remain with the developer, or agent acting on their behalf.
5. The proposed off-site highway works referred to in Condition 14 requires to a Traffic Regulation Order [TRO] required to be in place before the occupation of dwellings on Plots 88 to 100 inclusively. The Highway Authority considers it prudent that as part of the proposed development, a TRO will need to be undertaken to provide a safer highway environment. The developer should note that the Order can be made on behalf of the developer by Nottinghamshire County Council at the expense of the developer. This is a seperate legal process and the Applicant should contact the Major Projects & Improvements Team on 0115 9773118 or nottinghamshire County Council's Customer Services on 0300 5008080. Please note that the assessment and implementation of a TRO is determined by a lengthy public consultation process and therefore the final outcome for implementation is not guaranteed.
 - 1) The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the HA. The new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for road works.
 - a) The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the HA with regard to

compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the HA as early as possible.

b) It is strongly recommended that the developer contact the HA at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance. It is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council in writing before any work commences on site.

Correspondence with the HA should be addressed to hdc.north@nottscc.gov.uk or in writing to:

Highways Development Control
Nottinghamshire County Council,
Highways North,
Welbeck House,
Darwin Drive,
Sherwood Energy Village,
Ollerton,
Nottinghamshire,
NG22 9FF.

2) The Advanced Payments Code in the Highways Act 1980 applies and under section 219 payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code.

3) In order to carry out any off-site works approved, the applicant 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 the applicant has no control. In order to undertake the works, which must comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks, the applicant will need to enter into an Agreement under Section 278 of the Act. The Agreement can take some time to complete as timescales are dependent on the quality of the submission, as well as how quickly the applicant responds with any necessary alterations. Therefore, it is recommended that the applicant contacts the Highway Authority as early as possible. Work in the highway will not be permitted until the Section 278 Agreement is signed by all parties.

4) Any relevant details submitted in relation to a reserved matters or discharge of condition planning application are unlikely to be considered by the Highway Authority until after the relevant technical approval is issued.

COMMITTEE DATE 26/06/2019 **WARD** Hucknall North

APP REF V/2018/0330

APPLICANT S Mistry

PROPOSAL Demolition of Existing Building and Erection of New Three Storey Apartment Block Containing 9 Apartments.

LOCATION Romans, 8a Annesley Road, Hucknall, Nottingham, NG15 7AB

WEB-LINK <https://www.google.com/maps/@53.0401215,-1.2065433,18z>

BACKGROUND PAPERS A, B, C, D, E, H, K

App Registered: 24/05/2018 Expiry Date: 23/08/2018

Consideration has been given to the Equalities Act 2010 in processing this application.

This application has been referred to Planning Committee by Cllr. P Rostance on the grounds of Heritage.

The Application

This is an application for the demolition of the remains of the Romans building on Annesley Road, Hucknall, and the erection of a three storey apartment block, comprising of nine, one and two bedroom self-contained residential flats, with amenity space and bin storage to the rear.

Consultations

Site Notices have been posted together with individual notification of surrounding residents.

The following consultation responses have been received:

Resident Comments:

Two letters of objection has been received from a local resident in respect of the following:

- Overlooking/loss of privacy
- Overshadowing impacts
- Overbearing impacts
- Overdevelopment of the site
- Increase in on-street parking
- Bin storage
- Conservation Area

- Restoration should be sympathetic
- Date stone on frontage must be preserved

ADC Conservation:

The historical value of the building has been undermined and blighted by vandalism and theft. The structural appraisal submitted also highlights that the site has structural defects that need to be addressed. A significant amount of repair, restoration and reinstatement would be needed to retain the site, and for it to be considered as an enhancement.

It is unlikely that any objection to the demolition of the building could be sustained on Conservation grounds, as the proposed scheme is seen to lead to less than substantial harm when taking into account the sites significance. Furthermore, the proposal is seen to provide a level of enhancement to the area, and a viable long term use, which is considered to be of public benefit.

ADC Drainage:

There are historic flooding issues in this area, and although the drainage system for this area has recently be improved, Severn Trent would need to approve any surface water drainage connection for this development.

ADC Environmental Health (Contamination):

Following a review of land information, it is considered that it is not necessary to require a contamination condition.

ADC Planning Policy:

Given the location and nature of the proposal, there are no comments to make on the application.

Hucknall Heritage Society:

Object to the building being demolished due to its age and siting within the Hucknall Conservation Area. Acknowledge that the building is in a very poor state of repair but demolition of the building is very final for a building which is over 200 years old.

Should the building be demolished, the society would like to see the date stone safeguarded during demolition works, and a historical interpretation of the site, with the buildings history, erected as part of any development of the site.

Local Lead Flood Team:

No objections to the proposal.

NCC Highways:

No objections to the proposal.

Severn Trent Water:

No objections to the proposal, subject to a drainage condition.

Policy

Having regard to Section 38 of the Planning and Compulsory Purchase Act 2004 the main policy considerations are as follows:

National Planning Policy Framework (NPPF) 2019

Part 2 – Achieving Sustainable Development
Part 5 – Delivering a Sufficient Supply of Homes
Part 8 – Promoting Healthy and Safe Communities
Part 9 – Promoting Sustainable Transport
Part 11 – Making Effective Use of Land
Part 12 – Achieving Well Designed Places
Part 16 – Conserving and Enhancing the Natural Environment

Ashfield Local Plan Review (ALPR) 2002

ST1 – Development
ST2 – Main Urban Area
SH1 – District Shopping Centre
EV10 – Conservation Areas
HG8 – Residential Care Facilities, Houses in Multiple Occupation, Bedsits, Flats and Hostels

Supplementary Planning Guidance Notes

Residential Design Guide SPD 2014
Residential Car Parking Standards SPD 2014

Relevant Planning History

V/2015/0593

Details: Conversion of existing public house into 9 apartments, including two storey side extension
Decision: Conditional Consent
Date: 19/05/16

V/2012/0130

Details: Conversion and extension of existing public house to create 12 residential apartments.
Decision: Refusal
Date: 14/06/12

V/2010/0631

Details: Conversion of existing public house into 13 residential apartments. Single storey and first floor extension to west elevation and first floor extension to east elevation
Decision: Refusal
Date: 25/08/11

Comment :

The current application seeks full planning consent for the demolition of the remains of the existing public house, known as the Romans building at 8a Annesley Road, and the erection of a three storey apartment block, comprising of nine residential flats, with associated amenity space and bin storage to the rear.

The application site is located within the main urban area of Hucknall, and comprises the remains of the former Romans public house on Annesley Road. The building itself has fallen into a state of disrepair following substantial vandalism and theft, resulting in the partial collapse of the building.

The building is sited prominently on Annesley Road with no break between the front elevation and the highway edge. Situated directly opposite the site is a modern, three storey apartment building. The character of the road is predominately 19th Century residential and commercial buildings.

Directly to the north and west of the site is existing residential development, whilst connected to the building to the east, is the existing two storey public house, known as Havana Blue.

The application site falls within the newly designated Hucknall Conservation Area. The building on the site is considered to be locally significant, and is recorded as a locally listed non-designated heritage asset.

The main issues to consider in this application are the

- Principle of development
- Impacts of the development on designated and non-designated heritage assets,
- Character and appearance of the area,
- Residential amenity
- Highway safety.

Principle of the development

The proposal site is located in the Main Urban Area as defined by Ashfield Local Plan Review 2002 (ALPR), Policy ST2 and the Proposals Map. The Policy identifies that development will be concentrated within the Main Urban Areas. The proposal would comply with this policy.

Impact Upon the Character and Appearance of the Area & Heritage Assets:

The application site is located within the Hucknall Conservation Area and the Romans building is considered to be a non-designated local heritage asset by the Local Planning Authority.

Concerns have been raised by the Hucknall Heritage society and a local resident in regards to the demolition of the building.

Paragraph 189 of the NPPF 2019 requires an applicant to describe the significance of any heritage asset affected by a proposal. The applicant has submitted a Heritage Statement to satisfy this requirement. Paragraph 190 of the Framework also requires local planning authorities to identify and assess the significance of the heritage asset affected.

Historically, the building on the proposal site is understood to have been a barn, which was later altered and extended in the early 19th century to form a Methodist Chapel and Sunday School, thus illustrating the growth of non-conformism within the District during this period. A two storey building once stood on the site constructed from magnesium limestone with a hipped slate and pantile roof. The external elevation was rendered with a scored finish to replicate ashlar. Architectural details included cast iron rainwater goods, timber sash windows, paneled doors with fanlights and stone cills.

Since the closure of the public house in 2007, the building has been substantially damaged as a result of vandalism and theft, which has led to its partial collapse, thus impacting on the structural integrity of the building. Subsequently only the ground floor and part of the first floor of the building remain in situ. In its current form, the building gives rise to a negative impact upon the appearance of the surrounding street scene. A structural report submitted with the application deduces that the structure of the building will deteriorate further, leading to increased structural problems, undermining any future rebuilding and conversion works.

The details submitted illustrate that the remains of the existing building will be demolished, with a new, three storey building erected in its place to accommodate nine apartments. The design of the scheme is considered to be sympathetic to that of the original building, incorporating a number of the traditional design features originally found in the original construction. The proposal would also result in a derelict town centre site being brought back into use.

In considering current legislation and policy, in particular paragraph 196 of the NPPF 2019, if the existing building is demolished and rebuilt to reflect the style of the original building – prior to any damage – utilising traditional materials, then the benefits of the scheme outweigh the harm posed by leaving the site to deteriorate further, which would subsequently harm the visual amenity and character of the Conservation Area, and wider street scene.

It is therefore considered that the scheme proposed is well designed, and will provide the opportunity to sustain and enhance the significance of the Conservation Area, therefore leading to 'less than substantial harm' to the designated heritage asset. Furthermore, the redevelopment of the site is seen to provide a viable long term use for this part of the Conservation Area, whilst also improving the character and appearance of the surrounding area.

The proposal subsequently complies with the policy requirements of the NPPF 2019, namely Part 16 – Conserving and Enhancing the Historic Environment, which seeks to protect and enhance heritage assets, where appropriate. The proposal would also conform with Part 12 – Achieving Well Designed Places of the NPPF 2019, which seeks to ensure that developments add to the overall quality of an area, and are sympathetic to local character and history, including the surrounding built environment.

It has been brought to the Local Planning Authorities attention that there may be a date stone on the exterior of the existing building which is seen to be a significant feature. As part of any approval, a condition would be attached to ensure the retention and recording of any such feature. In addition to this, as part of any approval, a scheme of historical interpretation would also be required to be displayed at the site following development to pay homage to the historic importance associated with the site.

Residential Amenity:

Concerns have been expressed by local residents in respect of the proposal, and its subsequent impact on the amenity of neighbouring residents.

In respect of the overbearing and overshadowing impact on neighbouring properties, the application site is located on lower ground than properties along Magdalene Way and Carlingford Road.

The proposed scheme is approximately 0.5m greater in total height than that approved under planning reference V/2015/0593.

To the north of the site, properties along Carlingford Road are three storeys in height. When taking into account the ground level difference between the site and properties along this road, the proposed development will be just under 0.5m higher than that of properties along this road.

In respect of properties along Magdalene Way, whilst these properties are single storey in height, they are also sited on slightly higher ground than the application site. In addition to this, the nearest property on this road sited approximately 15m from the proposed development.

It is therefore considered that the proposal does not give rise to any significant massing impact on neighbouring residents. Whilst it is acknowledged that the proposal gives rise to a slight overshadowing impact on properties along Carlingford Road, this impact is considered to be no greater than that created by the previously approved V2015/0593 application.

In regards to the overlooking impact, the central rear windows serving the communal corridor space are proposed to be obscurely glazed to prevent any significant overlooking of the garden space of properties along Carlingford Road. The windows on the left and right hand side of the rear elevation will however not be obscurely

glazed. This is due to the fact that windows on the left hand side will have an outlook towards the side elevation of 1b Carlingford Road, whilst the windows on the right hand side of the rear elevation will look out onto the very rear of gardens along Carlingford Road, ensuring that the first 5m of garden space (the area likely to be most frequently used by residents) is protected from any direct overlooking from the proposal.

The proposed development comprises of four, one bedroom apartments, and five, two bedroom apartments. Each of the proposed units will provide a floor space area which complies with the minimum space standards stipulated in the Council's Residential Design Guide SPD 2014, and each of the units will benefit from a reasonable outlook.

The proposal will provide approximately 120sqm of amenity space for future occupiers of the flats. Whilst it is acknowledged that the provision of amenity space falls below the 180sqm requirement, as stipulated in the Council's Residential Design Guide SPD 2014, given the town centre location of the site, and the close proximity of the site to public open space at Hucknall Leisure Centre, it is considered that the provision provided is adequate.

The nine flats are considered to offer any future occupiers with an adequate means of accommodation within a town centre location.

A refuse storage area is proposed to be located to the rear of the building, and will be accessible to all residents through the inclusion of a rear access door. The refuse storage area will not give rise to any detrimental impact on the amenity of neighbouring residents.

Highway Safety:

The proposed nine flats do not benefit from any associated off-street parking, which is contrary to the requirements outlined within the Council's Residential Car Parking Standards SPD 2014.

Having said this, it is however considered that due to the town centre location of the proposed development, any future occupiers will have little use for a car. The premises is within easy walking distance of major transport nodes, such as the bus station and tram/train station, public open space and leisure and retail facilities.

Furthermore, on-street parking along Annesley Road is controlled by Traffic Regulation Orders. Therefore it is envisaged that the proposal will not result in any adverse impact on the free flow of traffic and highway safety in this location.

Conclusion :

The NPPF 2019 sets out three overarching objectives to sustainable development – economic, social and environmental. These are considered in the context of the overall planning balance.

It is acknowledged that the Romans building is locally important in respect of its historic significance and what it represents. However since 2007, the building has remained vacant and has been a target for vandalism and theft, which has resulted in the significant deterioration of the building in recent years, leading to a negative impact upon the appearance of the street scene, and more recently, on the appearance and setting of the Hucknall Conservation Area.

A structural report has confirmed that even with significant repair and restoration works, the building would still be subjected to structural defects, undermining any future rebuilding and conversion works.

The proposed scheme will reflect the style of the original building by including a number of traditional design features and incorporating traditional materials in the construction, providing the opportunity to sustain and enhance the significance of the Conservation Area, therefore leading to 'less than substantial harm' to the designated heritage asset.

In addition, the proposal would provide a number of social and economic benefits, including support for a small house builder and other economic benefits that would be generated during the construction of the apartments and occupation thereafter. The scheme would also make a modest but nevertheless important contribution towards boosting the supply of housing in the area in an accessible town centre location, whilst ensuring that the impact on existing neighbouring properties is limited.

On balance therefore, it is considered that the proposal constitutes an appropriate form of development, and it is subsequently recommended that this application is granted conditional consent.

Recommendation: Approve – Conditional Consent

CONDITIONS

1. The development hereby approved shall be begun before the expiration of 3 years from the date of this permission.
2. The remains of the existing building shall not be demolished before:
 - a) A contract for the carrying out of the works of redevelopment of the site has been made, a copy of which shall be submitted to and acknowledged by the Local Planning Authority before development commences; and
 - b) Planning permission has been granted for the redevelopment to which that contract provides.

3. Before the new roof hereby approved is installed, samples or detailed specifications of the new roof slates, which shall be natural slates, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out only in accordance with the agreed roof materials.
4. Before the render hereby permitted is applied, a specification for the external render to be used shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved details. The specification shall define:
 - a) The mortar mix,
 - b) The number of coats and finish, including colour,
 - c) Backing and edging materials,
 - d) The relationship to existing finishes and openings
5. Before the rainwater goods hereby permitted are installed, samples or detailed specifications of all rainwater goods (including the method of fixing) shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out only in accordance with the agreed rainwater goods details.
6. All external joinery including windows and doors shall be of a timber construction only. Details of their design, specification, method of opening, method of fixing and finish, in the form of drawings and sections of no less than 1:20 scale, shall be submitted to and agreed in writing by the Local Planning Authority before the windows and doors hereby approved are installed. The development shall be carried out only in accordance with the agreed details.
7. Before they are installed, full details of the siting, appearance and materials to be used in the construction of all extractor vents, heater flues, meter boxes, airbricks, soil and vent pipes, rainwater goods or any other external accretion shall be submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out only in accordance with the agreed details.
8. A programme of historic building recording in accordance with Historic England Level 1 shall be submitted to and agreed in writing by the District Planning Authority before development commences.
9. Where there is a likelihood of hidden features such as a date-stone being revealed during the course of work and not addressed at application stage then provision for their retention/recording should be secured as part of the approved scheme.
10. Details for a scheme of historical interpretation to be displayed at the site shall be submitted to and agreed in writing by the Local Planning Authority. The

agreed interpretation shall be affixed or erected within 6 months of completion of the scheme.

11. The central windows in the rear elevation shall be glazed in obscure glass and maintained as such in perpetuity. Such works to be completed prior to the commencement of the use of the hereby permitted development.
12. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
13. This permission shall be read in accordance with the following plans: Proposed Elevations, Drawing No. NG157AB-AMC-03.3-XX-DR-A-0017, Recived 22/03/19; Proposed Floor Plans, Drawing No. NG157AB-AMC-03.3-XX-DR-A-0019, Recived 22/03/19; Proposed Floor Plans, Drawing No. NG157AB-AMC-03.3-XX-DR-A-0018, Recived 22/03/19.

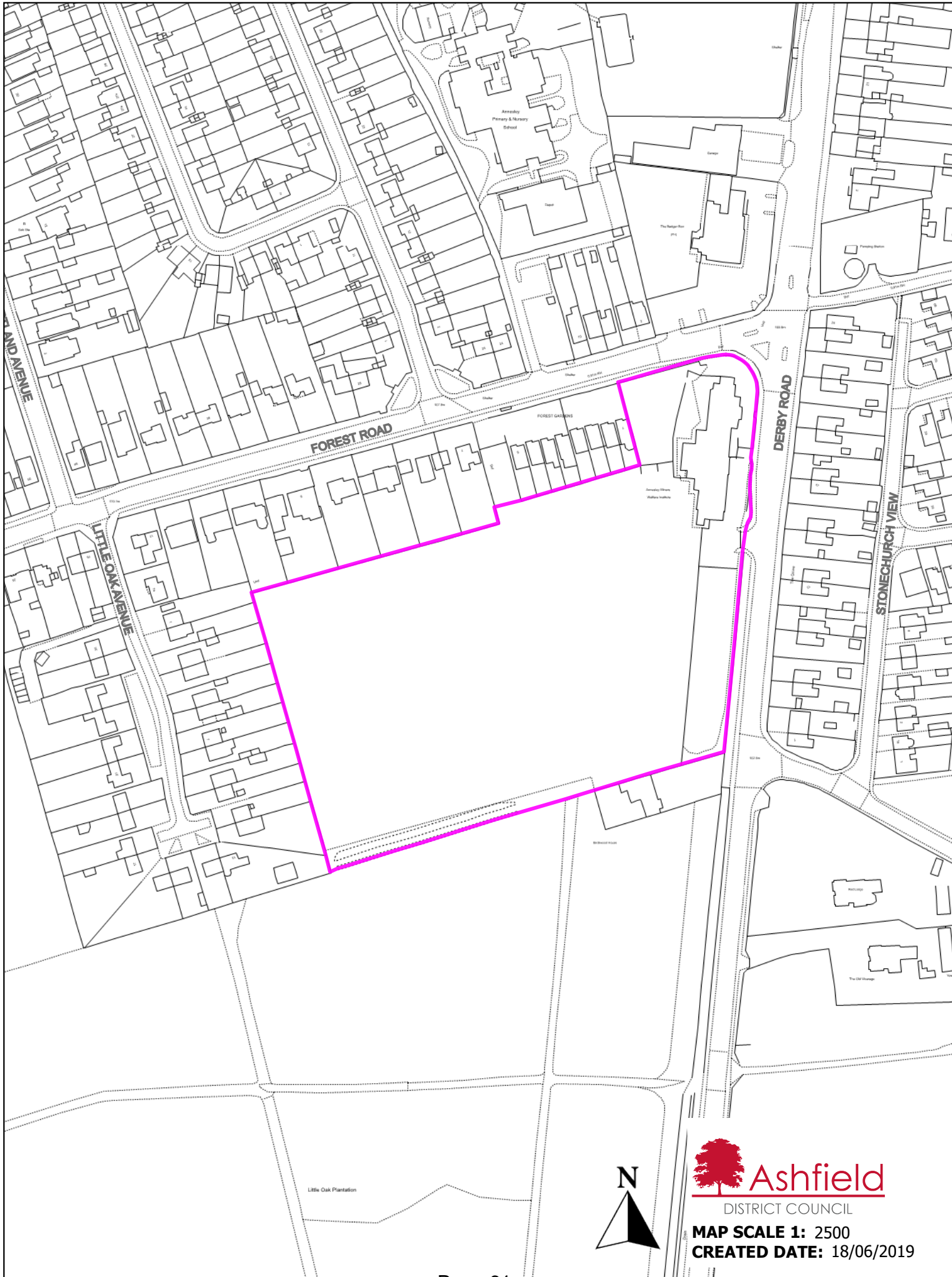
REASONS

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.
2. To ensure that redevelopment follows relatively soon after demolition, to avoid a visually unsightly gap site.
3. To ensure the development preserves the character and appearance of the Conservation Area.
4. To ensure the development preserves the character and appearance of the Conservation Area.
5. To ensure the development preserves the character and appearance of the Conservation Area.
6. Inadequate details of these matters have been submitted with the application and to ensure the development preserves the character and appearance of the Conservation Area.
7. Inadequate details of these matters have been submitted with the application and in order to ensure that the works preserve the character and appearance of the Conservation Area.

8. To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the building.
9. To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the building.
10. To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the building.
11. To protect the residential amenity of adjacent residents.
12. To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.
13. To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application.

INFORMATIVE

1. The applicant/developer is strongly advised to ensure compliance with all planning conditions, if any, attached to the decision. Failure to do so could result in LEGAL action being taken by the Ashfield District Council at an appropriate time, to ensure full compliance. If you require any guidance or clarification with regard to the terms of any planning conditions then do not hesitate to contact the Development & Building Control Section of the Authority on Mansfield (01623 450000).
2. Landowners, individual property owners and users are responsible for managing the drainage of their own land. The applicant must satisfy themselves that drainage is managed in such a way as to prevent adverse impacts of neighbouring land. The council take no responsibility for incorrect information or interpretations made by the applicant or their representatives. The responsibility for the checking of the design, calculations and details remain with the developer, or agent acting on their behalf.
3. Severn Trent Water advise that although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.



COMMITTEE DATE 26th June 2019 **WARD** Annesley and Kirkby
Woodhouse

APP REF V/2018/0393

APPLICANT BOYCE BROS

PROPOSAL Residential Development for 44 houses and 1 flat including
Associated Access, Parking, Infrastructure, Drainage,
Landscaping and a Sports Pitch..

LOCATION Annesley Miners Welfare Institute, Derby Road, Annesley
Woodhouse, Nottinghamshire. NG15 0AP

BACKGROUND PAPERS A; B; C; D; E; F; G; H; I; K

WEBLINK [https://www.google.co.uk/maps/@53.0784863,-
1.2430126,21z](https://www.google.co.uk/maps/@53.0784863,-1.2430126,21z)

App Registered 29/06/2018

Expiry Date 23/11/2018

Consideration has been given to the Equalities Act 2010 in processing this application.

This application has been referred to Planning Committee by Councillor Rachael Madden for reasons of highway safety; impact upon the street scene; impact upon neighbouring properties; & disregard for the Local Plan.

THE APPLICATION

The original scheme proposed a development consisting of 33 dwelling houses and 37 retirement apartments. Following concerns raised by residents, further discussions were held with the developer and the scheme amended.

This is now a Full Application for a residential development consisting of 44 houses, 1 flat, associated access, parking infrastructure, drainage, landscaping and a sports pitch. The proposal also includes the demolition of the existing building known as the Annesley Miners Welfare.

CONSULTATIONS

The application has been advertised in the local newspaper; a site notice displayed and individual letters issued to local households on The Grove; Derby Road; Forest

Road; and Little Oak Avenue. Following the scheme being amended, the application was re-advertised and consultation letters sent out. Below is a summary of comments received:

A.D.C Drainage – The guidance from the Local Lead Flood Authority should be followed and Severn Trent Water needs to be consulted on the foul water proposals.

A.D.C Housing Policy – Require 10% of units on-site being affordable – in accordance with policy, with these split between rented and shared ownership - 75% and 25% respectively.

Local Lead Flood Authority – Originally objected to the application as it did not contain sufficient detail in relation to surface water flood risk. Updated information was received to satisfy the concerns of the LLFA. No objections are now raised, subject to a satisfactory sustainable drainage system being provided.

Clinical Commissioning Group – A development of this nature would result in increased service demand which would not be accommodated within existing primary care resources. The proposal would trigger the need to provide health related section 106 finding amounting to £24,492.75, which is proportionate to a housing development of this size

The contribution would be invested in enhancing capacity/infrastructure within existing local practices. In order to ensure that work can be commenced in advance of the population growth and ensure that the health infrastructure is in place to meet the increased demand on health services we anticipate that the funding is payable on commencement of building.

A.D.C Environmental Protection – Having reviewed the Air Quality assessment submitted by Air Quality Consultants RefJ3335A/1/F2 which concludes that the effects of the development on local air quality are ‘not significant’; there are no objections to the granting of Planning Permission.

Natural England – Offer no comments, but suggest consideration is given to standing advice.

A.D.C Place and Wellbeing – Have provided comments in respect of the following:

Sports field/Green Space

- There is no requirement for formal green space, or pitch provision in this area, from the Council’s adopted standards (Public Open Space Strategy/ Playing Pitch Strategy).
- The Councils playing Pitch Strategy priority is to invest in hub sites. It would therefore be preferred if off-site provision is provided for other open spaces in the area.

- Surface water 'attenuation area 2' should be located on part of the open space.

Pedestrian access to woodland

- The applicant should confirm that an access point will be available from the proposed pathway adjacent to the football pitch into the woodland.

Boundary Treatment and Landscaping

- Details of landscaping and boundaries should be indicated on a plan.

Section 106

- Contributions should be sought for either Oak Wood fields and/or Kingsway Park Sports facilities.

Nottinghamshire County Council Highways Authority – The HA, on the basis of the latest information submitted, conclude that the benefits of providing additional public highway on the A611 corridor outweigh the residual cumulative impact of the development on the highway network. No objections are therefore raised and a list of conditions are recommended.

Nottinghamshire County Council Policy – Have provided comments in respect of their position on Waste, Minerals and Transport. The response from strategic highway identifies there is joint study with Ashfield District Council, Mansfield District Council and Nottinghamshire Council on the A611 corridor between Mansfield and Junction 27 of the M1. As there is no defined Highway improvement scheme, they have recommended a strip 4m wide around the perimeter of the site is safeguarded, should this need to be dedicated as public highway. It is also advised that the bus stops along Forest Road cannot be re-located.

Nottinghamshire County Council Education – The development is located in the Annesley Primary Planning Area and a scheme of 45 dwellings would generate 10 places. Based on 2018 projections there is insufficient capacity in the area to accommodate these places. Therefore, the County Council will require a contribution of £136,560 (10 places x £13,656 per place) to mitigate the impact of this development.

There is capacity at Kirkby College and as such a contribution toward secondary school education is not required.

A.D.C Tree Officer – Has passed comment on the submitted Arboricultural Report and noted that the tree protection measures and special engineering works contained within the report, should be carried out in accordance with the supplied information. This will be proposed as a condition.

Sports England - The site is considered to constitute a playing field, or land last used as playing field, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595).

Sports England first response - in respect of the original scheme - was a holding objection, requiring further information to be submitted. They also advised that the Football Federation, had objected, requiring further information.

Additional information was provided to Sport England. However, they are concerned that the proposed single pitch would not deliver a sustainable sports facility. In their view, the existing playing field should either be retained, or the whole site developed and appropriate mitigation be provided. Both the Football Foundation (on behalf of the FA) and the County Council Football Association support these options.

The retention of a single pitch in the centre of a residential area is not supported. Accordingly, they object to the application, on the basis the proposals do not accord with any of the exception to Sport England's Playing Fields Policy, or para 97 of the NPPF.

OTHER REPRESENTATIONS

Annesley & Felley Parish Council

The Planning Application for Annesley Miners Welfare Institute was discussed at the Parish Council meeting on 2nd July 2018 and the Parish Council, at the time, were in full support of the application.

However, following a meeting held on 13th May 2019, the newly elected Parish Council now object to the application. Their objections are on the basis that the proposal could lead to the creation of a dual carriageway and air pollution. They have also requested Councils Annual Air monitoring report should be published and given scrutiny.

Community Representations

The following representations were received in respect of the original scheme:

28 responses from 18 households / groups, including the Labour South Kirkby Branch; ACCESS [Annesley Community Committed to Ensuring Sustainable Settlements]; Ashfield House Surgery and STAG [A611 Safety & Traffic Action Group]. All communications received raise objections to the development on the following grounds: -

- **Traffic** - increase in vehicle numbers adding to severely congested Badger Box junction / school site and on Derby Road in particular. Junction considered to be 'accident hotspot'. Whole area needs traffic relief, not additional vehicles and the ADC / NCC are failing to address this. Peak hour congestion is especially bad around school entrance. Need parking

restrictions on forest Rd. Traffic Assessment submitted is wrong stating it will have no material impact. Road & pedestrian safety is at serious risk. Safety & health of school children is paramount. 6 principle junctions and 2 bus stops within a few metres plus individual drive accesses.

- **Pollution** - increased noise and air pollution resulting from the additional traffic and congestion
- **Design** - Excessive height and footprint of the proposed apartments will dominate the street frontage. Three-four storeys not in keeping with local area and will be dominant, oppressive and cause loss of privacy and light. New dwellings too close to surrounding properties affecting privacy levels. No outside amenity space for apartment residents
- **Sports Pitch** - This will only benefit a few and these will not be local if a club runs it. No public access, no community benefit.
- **Ecology** – Impact on species including bats, nightjars and hedgehogs.
- **Landscaping** - southern boundary adjoins local wildlife site / ancient woodland & historic hedgerows that all need protection.
- **Section 106 Monies** – A question was received from a Local Surgery regarding Section 106 monies.
- **Drainage / Flooding** - Effect on existing sewers crossing the site; known flooding of the site and surrounding properties after heavy rain; infiltration testing insufficient; use of flood protection measures show it could be an issue
- **General** - Too many new houses, retain the whole site for open space / sports facilities, make an attractive entrance into Kirkby. Poor consultation process. Loss of property values. Contrary to NPPF regarding sustainable development; reducing pollution; & road safety. Potential for sink holes with former mining activities and flood issues. Inadequate protection for site ecology and protected species, EU regulations flaunted. Contrary to ADC Policy which states it's a Green Space & Recreational Facility and ADC Sports Pitch Strategy recommends no loss of sports facilities.

Following a period of re-consultation, a further 4 letters have been received from residents, with additional correspondence also received from ACCESS and the A611 Safety & Traffic Action Group, these are summarised below:

- Pleased to see the developers have amended their plans and abandoned the large block of flats.
- The application is a massive positive for the area and the current Annesley Miners Welfare is a blot on the landscape. Demolishing the building and providing much needed housing would be well received.
- Some of the dwellings are higher than those on the Grove. This is not reflected in the street scene drawing.
- There is insufficient infrastructure in place to support the development (schools and doctors).
- There remains concerns over ecology, emissions, noise pollution, and flooding.

- The Councils Annual Air monitor report should be published and given scrutiny.
- Highways Safety concerns with the creation of the new access, traffic congestion especially at peak hours (the school run) and larger vehicles using the highway during the construction phase.
- Any road widening scheme would encourage more traffic into the area and the NCC highways comments appear to play down congestion on the area.
- The site should be secured and left as open space until adequate infrastructure is in place and a bypass has been provided.

PLANNING POLICY CONSIDERATIONS

Having regard to Section 38 of the Planning and Compulsory Purchase Act 2004 the main policy considerations are as follows:

National Planning Policy Framework [NPPF] 2018

- **Part 2** - Achieving sustainable Development
- **Part 4** - Decision Making.
- **Part 5** - Delivering a Sufficient Supply of Homes.
- **Part 8** - Promoting Healthy & Safe Communities.
- **Part 9** - Promoting Sustainable Transport
- **Part 11** - Making Effective Use of Land
- **Part 12** - Achieving Well Designed Places
- **Part 14** - Meeting the Challenge of Climate Change, Flooding & Coastal Change

Ashfield LP Review 2002 – Saved Policies

- **EV8** - Trees and Woodland
 - **HG3** - Housing Density
 - **HG4** - Affordable Housing.
 - **HG5** - New Residential Development
 - **HG6** - POS in New Residential Developments
 - **RC3** - Formal Open Space
 - **ST1** - Development
 - **ST2** - Main Urban Areas
 - **TR6** - Developer Contributions to Transport Improvements
- **Ashfield Affordable Housing SPD 2009**
 - **Ashfield Residential Design SPD 2014**
 - **Ashfield Residential Car Parking Standards SPD 2014.**
 - **Nottinghamshire County Council - The 6 C's Design Guide**

PLANNING HISTORY

V/2015/0696 - Outline application for the erection of 58 dwellings with retail, doctor

surgery and associated works. Refused 2/8/2016

The above application was refused on the basis of the loss of open space and no other suitable alternative being provided. There were also concerns regarding an impact upon the highway network, with the Transport Assessment considered to be inadequate. A third reason for refusal was on the basis of the development failing to provide adequate contributions and thus being unsustainable.

ASSESSMENT

The main planning considerations with this application are as follows.

1. Principal of development – including impact on Open Space and Recreation;
2. Impact on Visual Amenity;
3. Impact on Residential Amenity;
4. Impact on Non-Designated Heritage;
5. Highways Safety;
6. Ecology;
7. Flooding;
8. Air Pollution;
9. Viability and Developer Contributions;
10. Any other issues;

1. Principle

Under the Planning and Compulsory Purchase Act 2004, section 38(6) applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Therefore, the starting point for decision making are the policies set out in the Ashfield Local Plan Review 2002 (saved policies). The National Planning Policy Framework (NPPF) is a material consideration and may provide reasons why an application for planning permission should be granted notwithstanding the development plan.

The proposal accords with saved ALPR Policy ST2, which seeks to concentrate development within the main urban areas in Ashfield. However, the site is allocated as a formal open space under Policy RC3Ka. Policy RC3 sets out that development which would lead to the loss of formal open space will only be permitted in certain circumstances. This includes, amongst other things, where

- It would assist in the retention and enhancement of the recreational use of the site, or
- where adequate replacement provision of new formal open space is provided, or
- it is proposed to make a significant improvement to the overall quality of recreation.

The NPPF, at Paragraph 97, sets out that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current, or former use.

The playing fields have been out of use for a number of years and are currently overgrown with vegetation. Although, Sport England have objected to the proposals - stating they would prefer to see the entirety of the playing field retained, or the whole site developed and appropriate mitigation negotiated. This is due to the proposed single pitch having no facilities and it potentially becoming unsustainable. The Council's Place and Wellbeing Team have similarly advised, that they would prefer to see off-site provision for other spaces in the area.

The site was previously used as a football pitch and the Council's adopted Playing Pitch Strategy 2017 – 2020 shows there to be a surplus of both Adult and Youth football pitches, in Kirkby, in 2016 and projected through to 2026. Although, this document does identify a shortfall of cricket, hockey and rugby pitches.

The development would involve the loss of some of the playing field; however, the proposal would still provide a single full-sized grass pitch, dedicated parking and space for a future changing room facility. Concerns have been raised over maintenance of the pitch, however this will be secured through a maintenance company, as part of the Section 106 agreement.

The provision of the recreation space assists in securing a high quality, mixed use, sustainable development. It would be overlooked from a number of neighbouring properties, providing a high degree of natural surveillance - making it an attractive open space. The single proposed pitch would also represent a significant improvement on the current recreation space given its overgrown state and lack of use.

The site is in private ownership and whilst an historic recreation use was present, there is no guarantee that a future owner would make this available for recreation purpose. It also seems unlikely that a facility to match the previous scale of pitch provision, prior to the dereliction of the site, would be deliverable without financial backing. Indeed, the submitted viability assessment identifies a cost of £60,000 for the levelling of the sports field. The playing fields have been derelict and overgrown for approximately 9 years and given the above, this may continue into the future leaving no viable recreation space.

A financial contribution of £88,000 has also been secured towards Open Space provision within the district. This will go toward enhancing provision at Oakwood fields Sports Park, or Kingsway Park - in accordance with the Councils Adopted Playing Pitch Strategy.

The benefits of bringing a single pitch back into use and a financial contribution to other recreation space, is considered to outweigh the loss of a larger, currently unused, recreation ground protected under saved ALPR policy RC3. The proposal is therefore considered not to be in substantive conflict with development plan policy RC3, nor the provisions of the NPPF (paragraph 97).

2. Impact upon Visual Amenity

The site extends to approx. 2.74ha and comprises of the disused Annesley Miners Welfare building, associated car parking and an area of grassland formally used as a sports field. The site is partly bounded by hedgerows, with residential properties on Little Oak Avenue and Forest Road to the west and north. Derby Road lies along the eastern boundary with residential properties on the opposite side of the road, which feature on the Local Heritage List. To the south of the site is a Local Wildlife Site (Little Oak Plantation).

The existing disused building on the site features boarded windows and appears highly unsightly at a gateway point into the Ashfield. The grassed area, surrounding much of the remainder of the site, is also overgrown and unkempt. The building is considered to hold fairly little in the way of architectural merit and there are no concerns regarding its removal. Indeed, its removal holds potential to enhance the appearance of this gateway.

The existing access off Derby Road would also be removed and replaced with a newly created access from Forest Road. The dwellings fronting onto Derby Road would contain vehicular access to the rear, with pedestrian access from the front. They would be set back from the Highway by a highway improvement strip and swale, thereby creating an attractive green frontage to the development.

An area of landscaping is proposed directly adjacent to the new access from Forest Road, creating an attractive entrance into the development. The newly created football pitch lies to the west of the development, with an associated parking area and avenue of trees in front. A number of dwellings would overlook the newly created recreation space. Running along the southern boundary are surface water drainage attenuation areas and swales, which create a buffer to the Local Wildlife Site lying to the south.

The appearance, layout and design of the development is considered to be acceptable. The proposal would involve the removal of an undesirable building, replacing it with a high quality mixed use development, comprising of residential and recreation space. The proposal would therefore enhance a key gateway site into the

district and comply with Part 12 of the Framework, which places an emphasis on good design and place making.

3. Impact upon Residential Amenity

Existing Residents

Policies ST1 and HG5 of the Ashfield Local Plan Review (2002) seek, amongst other matters, to ensure the neighbouring amenities of properties is protected

Plots 1 – 10, which run along Derby Road, would be three storeys in height. The submitted section plan shows that the ground levels will be raised slightly towards the southern part of the site. It is acknowledged that dwellings opposite (The Grove) are set slightly lower than the highway; however, with an average separation distance of over 30m to the dwellings opposite - which includes the swale, highway improvement strip, and highway itself - there would be no overlooking, or overshadowing concerns. This intervening distance is in excess of the Councils minimum standard of 21m.

The dwellings at plots 16 – 22 would be set lower than properties along Forest Garden, with an average back-to-back separation distance of approx. 25m. Although the dwelling at 5 Forest Garden features a conservatory located approx. 20m from plot 19; this is located on higher ground and its separation distance is considered sufficient to ensure there would be no loss of privacy, or overshadowing impact.

The remainder of the properties along Little Oak Avenue and Forest Road would back onto the recreation ground. To the south lies Birchwood House, however its angle and separation distance in relation to plots 25 – 28 ensure there would be detriment to the living conditions of the occupiers.

Proposed Residents

The houses and gardens are proposed to be laid out to ensure sufficient privacy and outlook, with the separation distances and garden sizes complying with the Councils Residential Design Guide SPD (2014). The properties would therefore provide a high standard of living for future residents.

4. Impact on a Non-Designated Heritage Asset

Opposite the east of the site sits two-storey former miner cottages, of stone construction. Some of the dwellings along this frontage are three storeys in height; however, are set back from the road and been designed to feature an extended front gable feature to mirror the miner's cottages. This sympathetic design, set-back from the highway, coupled with the loss an undesirable building, ensures there would be no harm to the setting of the non-designated heritage assets in accordance with paragraph 197 of the NPPF.

5. Highway Safety

The internal street layout is satisfactory and this has been confirmed by the Highways Authority (HA).

The HA have acknowledged the entire A611 link in the area experiences significant problems with peak-hour capacity congestion. Concerns have also been raised with some of the findings with the applicant's evidence and that a more sophisticated traffic simulation tool may be required. However, the HA realises this would be at significant cost and would only serve to identify that the proposal will reduce capacity at the Badger Box junction. Moreover, the cost of developing such a reliable traffic model and mitigation would be significantly disproportionate to the scale of this particular development.

The Badger Box junction is already fitted with all modern vehicle actuation modes to maximise capacity and optimize responsiveness to traffic conditions. In addition, the existing constraints of the public highway reduce the number of potential mitigation measures that can be implemented

General principles require that developments mitigate against the impact of the additional traffic they generate only and are not obliged to address existing issues. The HA also acknowledges the traffic generated by the development represents an almost indiscernible increase in traffic when considering the existing congestion in this area and when taking into account the current permitted use as a public house and playing field.

In light of the fact that improvements would be disproportionate and make no difference to the current congestion experienced, the HA has instead requested that the applicant transfers land along its site frontage to become public highway. This means that whilst the development itself will not offset the impact of the additional traffic it will generate – which is considered to be minimal - the additional land made available as highway will enable meaningful improvements to the junction to be made in the future to the benefit of the wider road network.

Furthermore, the HA have required that the applicant safeguards the wider A611 corridor by providing a wide cycleway/footway, which will in the short term promote measures to encourage sustainable transport options. The application is also supported by a Framework Travel Plan, with measures aimed at reducing private car journeys. A contribution of £38,000 has been requested for extra demand on highway assets and infrastructure. This contribution will be secured through the Section 106 Agreement.

Local residents have raised concerns surrounding the creation of a new access off Forest Road in the proximity to a local school and bus stops. It has also been suggested that the access should be provided from Derby Road. The HA, have

raised no issues with the creation of a new access. Indeed, the provision of an access off Derby Road would be likely to lead to increased congestion problems at peak hours. The applicant has demonstrated that visibility would comply with standards and a condition is to be applied, ensuring this is not obstructed. There is no evidence to suggest that the creation of an access at this point would lead to unacceptable highways safety concerns.

Summary

In conclusion, it is acknowledged that the surrounding road network experiences congestion at peak periods, however the additional impact of traffic from the development would be indiscernible – as noted by the HA. The applicant will transfer land along the frontage for future improvements, as well as a financial contribution. The new access has sufficient visibility and raises no highway safety concerns. As a result of the above, the proposal would not result in any highway safety concerns, nor would the residual cumulative impact on the Highway Network be severe. The proposal is therefore considered to be in accordance with Part 9 of the NPPF and Policy ST1 of the Local Plan.

6. Ecology

The NPPF in paragraph 170 includes a requirement that decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks. The site is largely dominated by grassland, with the little Oak Plantation Local Wildlife Site to the south. The application is supported by a Preliminary Ecological Appraisal dated June 2018 and a further protected species surveys.

Bats

The building on site is classified as a roost due to the presence of droppings within the internal roof void. Three Nocturnal bat surveys have been carried out on the building. The results of which identified a single bat emerging. The submitted report sets out a number of mitigation and compensation measures, including the use of bat lofts and bat boxes.

Prior to demolition of the building, a European Protected Species Licence will be required. As a licence is required, due consideration has been given to the Habitat Regulations (2017) and Natural England's three tests in the processing of this application.

Trees

The Councils Tree Officer has assessed the submitted Arboricultural Report and noted that the tree protection measures and special engineering works contained

within the report, should be carried out in accordance with the supplied information. This is proposed to be subject to a planning condition.

Mitigation and Enhancement

An ancient woodland is present immediately adjacent to the southern site boundary, this is a locally rare priority habitat and a buffer will be provided. The submitted Ecology Report also includes further enhancement including the incorporation of bat, bird and hedgehog boxes. A species rich wildflower meadow is also proposed for the southern buffer.

The recommendations of the report are to form a planning condition, with a validation report required, containing a method statement of how the mitigation/enhancement measures are to be carried out and a timetable for their implementation. The proposal would therefore accord with the requirements of paragraph 170 of the NPPF.

7. Flooding

Concerns have been raised by local residents surrounding flooding on the site. The applicant has submitted a Flood Risk Assessment and accompanying addendum report in support of the application. This shows the site lies entirely within Flood Zone 1 and as such is not affected by fluvial flooding, although surface water flooding risk ranges from very low to high. It is also acknowledged that the development is also likely to alter the permeability of the ground.

The proposal incorporates the use of a sustainable urban drainage system. The layout indicates the use of two attenuation areas along the south and south eastern boundary of the site and also two swales. The volume of the attenuation areas has been increased following discussions between the Local Lead Flood Authority and the developer. Although residents' have raised concerns regarding infiltration testing at the site and the mitigation measures proposed; all the submitted information regarding flooding has been checked by the Local Lead Flood Authority, whom have confirmed its acceptability and raised no objections. A condition is recommended to ensure the development is carried out in accordance with the submitted reports and mitigation measures.

In light of the submitted technical information, recommended mitigation measures and no objections being raised by the Local Lead Flood Authority, the development is considered not to result in a significant risk of flooding to the site itself, or adjacent land. The application would accord with part 14 of NPPF in this regard.

8. Air Pollution

Paragraph 170 of the NPPF seeks to prevent new and existing development from contributing to, or being put at unacceptable levels of air, water or noise pollution.

Local residents and community group have raised concerns regarding the development having an adverse impact on air pollution.

The application is supported by an Air Quality Assessment dated June 2018. The report identifies that the impacts of emissions from road traffic will be insignificant. The Air Quality conditions for future residents have also been considered. Taking into account background concentrations in the local area, monitored concentrations close to the development – the air quality for future residents will be acceptable, with pollutant concentrations below the air quality objectives.

The veracity of the report has been confirmed by the Councils Environmental Health team. As a result of the submitted technical information, it is considered the impact of the development on air quality would not be significant and not give grounds to refuse planning permission.

9. Viability and Developer Contributions

The following contributions have been requested by various consultees:

- Education:
£136,560 – For primary education provision in the Annesley Primary Planning Area.
- Public Open Space
£88,000 for a) Oak Wood Fields general improvements and/ or b) Kingsway Park sports facilities.
- Health
£24,492.75 for enhancing capacity/infrastructure within existing local practices.
- Highways
£38,500 for highway assets and infrastructure.
- Affordable Housing 10%

The applicant has submitted a viability report, which has been verified independent expert, whom confirmed that the site could support all the contributions requested. The applicant has agreed to provide all the requested contributions, which accord with the requirements of the Community Infrastructure Levy Regulations (2010). These contributions would ensure that the requisite level of infrastructure required to support the development is provided.

Other Matters

Japanese Knotweed

A small strand of Japanese Knotweed was identified in the Phase 1 Ecology Report. The strand was monitored over the growing season, with no new re-growth identified during the growing season of 2018 and as a result is considered to be dormant or dead. A 7m buffer is to be erected with fencing to prevent any spread across the site. This is detailed within the submitted Ecology Report.

Housing Density and Mix

The Housing mix consists of 16 X 4 bed houses, 28 X 3 bed houses and 1 X 2 Bed flat. The Councils Strategic Housing Market Assessment indicates that there is a need for more 2 and 3 bed dwellings. Although the proposal would provide a number of four bed properties, the largest proportion would be 2/3 bed units accounting for 64%. This level of mix is therefore considered to be acceptable in this location.

The proposed housing density is approximately 16.4 dwellings per hectare. This sits below the requirement of 30 dwellings per hectare set out in LP Policy HG3. However, the proposal is providing a playing field along with SUDS. This reduces the area of developable land and as a result the density provided is considered to be acceptable.

Maintenance

The future maintenance of the SUDs, playing field and landscaping areas would not fall upon the Council. These will be need the formation of a management company, which will be written into the Section 106 agreement.

Publication of Air Quality Report

The Annesley & Felley Parish Council a Community Group have requested that the Councils Annual Air Monitoring Report should be published and given scrutiny prior to a decision being made. The data has still to be verified by Defra, however it is understood that the readings do not exceed the Air Local Air Quality Management Objectives and the readings are now appearing to show a downward trend in levels of air pollution.

The applicant has submitted a report identifying the impact on air quality would be acceptable, which has been checked by the Council Environmental Health Team. In light of the above, it would therefore be unreasonable to delay the application further by awaiting publication of the report.

Planning Balance and Conclusion

The benefits of bringing a single pitch back into use, a financial contribution to other recreation space, is considered to outweigh the loss of a larger, currently unused, recreation ground protected under saved ALPR policy RC3. The proposal is

therefore considered not to be in substantive conflict with this Policy, nor paragraph 97 of the NPPF.

There would be significant benefits accruing from the development. In terms of social benefits, the Council currently has an identified housing shortfall and the provision of 45 new homes would carry significant weight in approving the application. There would also be environmental benefits from the demolition of the existing building, and ecological enhancement measures. It would also bring about economic benefits through the creation of new jobs during the construction phase, increased spending in the local economy from new residents and Council tax receipts. All these factors weigh in favour of granting planning permission.

Residents have raised concerns over a number of issues including highways safety, air quality, flooding and the impact on ecology. The appropriate technical reports have been submitted on these matters and assessed by the relevant experts. No substantive issues have been raised that could not be overcome, or be dealt with by way of a planning condition.

The local community have also raised concerns over the impact of the development on infrastructure. Contributions will be secured towards enhanced education, healthcare and public open space provisions. There would also be contributions towards improved highways assets, and the provision of land for additional public highway. A management company is also to take over maintenance responsibilities on site, helping to minimise any further drain on the public purse.

Overall, benefits arising from the development are considered to be far outweigh any harms identified. The proposal is therefore considered to amount to sustainable development, when considering the Framework read as a whole. The proposal would also be substantially compliant with the Local Plan.

RECOMMENDATION: Approve subject to the satisfactory completion of a Section 106 agreement.

CONDITIONS

1. The development hereby approved shall be begun before the expiration of 3 years from the date of this permission.
2. This permission shall be read in accordance with the following plans:
 - 2586 P_01_1A House Type 1 rev A Received 14 Feb 2019
 - 2586 P_01_2 House Type 2, received 26 June 2018
 - 2586 P_01_3A House Type 3 rev A, received 14 Feb 2019
 - 2586 P_01_4 House Type 4, received 26 June 2018
 - 2586 P_01_5 House Type 5, received 26 June 2018

- 2586 P_01_7A House Type 7 rev A, received 22 March 2019
- 2586 P_05R Site Layout Rev R, received 23 Apr 2019
- 2586 P_08B Proposed Site Sections AA - FF rev B
- 2586 P_09B Garage and Carport Types Rev B,
- 2586 P_10 Location Plan, received 26 June 2018
- 2586 P_11 Existing Site Plan, received 26 June 2018.
- Supporting Technical Note on Highways dated Jan 2019 – Including Appendices

3. No development shall take place above slab level until details showing the provision of electrical vehicle charging points have been submitted to and approved in writing by the Local Planning Authority.
4. No dwelling shall be occupied until an external lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall ensure adequate illumination of roads and paths and avoid any unnecessary light pollution. The strategy shall: (i) identify areas and features on site that are particularly sensitive for bats, and (ii) provide details of how and where external lighting will be installed so that lit areas will not disturb and prevent bats using their territory, including breeding sites and resting places. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.
5. The development shall be undertaken in accordance with the recommendations made within the Preliminary Ecological Appraisal dated June 2018 (RSE_1471-01-V1) and Protected Species Report dated October 2018 (RSE_1471_03_V1). A validation report shall be submitted prior to occupation of the first dwelling, containing a method statement of how the mitigation/enhancement measures are to be carried out and a timetable for their implementation.
6. The development shall be undertaken in accordance with the recommendations and mitigation measures made within the Flood Risk Assessment dated May 2018 (RSE_1471_03_V1) as amended by the Addendum Letter dated August 2018 (RSE_1471_03_L1). This shall include:
 - The finished floor levels set at least 150mm above external levels;
 - Flood resistant design measures shall be included on any buildings which remain at risk of surface water flooding.
7. Prior to the commencement of development, details of the finished floor levels and surrounding ground levels shall be submitted to and agreed in writing by the Local Planning Authority.

8. The development shall be undertaken in accordance with the Arboricultural Report dated June 2018 (RSE_1471_02_v2). The recommendations and mitigation measures contained within section 6 and 7 shall be fully adhered to.
9. Prior to the commencement of development, a construction management plan shall be submitted to and approved in writing by the Local Planning Authority, this should include:
 - How construction traffic will access the site;
 - Proposed hours and days of working;
 - Management of parking by persons involved in the construction of the development, including operatives & visitors;
 - Proposed temporary traffic restrictions and arrangement for loading/unloading & turning of vehicles;
 - Location of the site storage areas and compounds;
 - The segregation of construction vehicle and pedestrian movements on site and the adjacent public highway;
 - Wheel wash facility to prevent the deposit of debris on the public highway, (periodic street sweeping & cleansing of the public highway will not be accepted as a proactive method to address this issue;
 - A strategy for the minimisation of noise, vibration and dust;
 - Site contact detail in case of complaints;

The approved details shall be adhered to throughout the construction period.

10. The dwellings shall not be occupied until a travel plan to promote and encourage the use of alternative modes of transport to the car has been submitted to and approved in writing by the local planning authority. The travel plan shall include raising awareness in respect of cycling, walking, car share initiatives and providing details of a nominated travel plan coordinator. The scheme shall include, for the first occupier of each dwellings, the provision of a travel information welcome pack to raise awareness in respect of sustainable transport modes.
11. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The surface water drainage scheme shall include sustainable drainage principles and be implemented in accordance with the approved details before the development is first brought into use.
12. The applicant shall provide a pedestrian link to the woodland located to the south of the site. The link shall be provided from the land adjacent to the sports pitch and prior to the occupation of the first dwellinghouse.

13. The dwellings shall not be occupied until full details of all hard and soft landscaping have been submitted to and approved in writing by the Local Planning Authority. All planting, seeding or turfing indicated on the approved landscaping scheme shall be carried out in the first planting and seeding seasons following the occupation of the first dwelling. Any trees, or plants, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other of a similar size and species.
14. The dwellings shall not be occupied until full details of the sites boundaries treatments have been submitted to and agreed in writing by the Local Planning Authority. The boundary treatments shall thereafter be implemented in accordance with the agreed details and within an agreed time frame.
15. No part of the development shall commence until details of the new roads have been submitted to and approved in writing by the LPA including road/footway/cycleway longitudinal and cross sectional gradients/levels, parking provision, turning facilities, access widths, visibility splays (including pedestrian, junction and forward visibilities), street lighting, drainage and outfall proposals, construction specification, provision of and diversion of utilities services, TRO's/road markings, signage/street name plates, and any proposed structural works. All details submitted to the LPA shall comply with the County Council's current Highway Design & Parking Guides and shall be implemented as approved. Any visibility splays/sightlines shall be kept clear of any obstructions over 600 mm high for the life of the development. Please see S38 note.
16. Prior to the first occupation of the dwellinghouse, details showing the provision of a highway improvement strip – with a 3m wide footway and 1m wide verge on Derby Road and Forest Road – shall be submitted to and agreed in writing by the Local Planning Authority. The strip shall thereafter be implanted in accordance with the agreed details.
17. Prior to the occupation of the first dwellinghouse, the existing site access on the A611 that has been made redundant as a consequence of this permission shall be permanently closed and the vehicle access crossing reinstated as footway - in accordance with details to be first submitted to, and approved in writing by, the LPA.
18. Prior to the occupation of the first dwellinghouse, the "Keep Clear" road markings, as shown for indicative purposes only on the drawing reference 1811 02 Rev B shall be provided.
19. No part of the development hereby permitted shall be brought into use until the 2.4 x 43 metres visibility splays shown for indicative purposes on the access drawing no 1811 02 Rev B are provided. The area within the visibility

splays referred to in this condition shall thereafter be kept free of all obstructions, structures or erections exceeding 0.6 metres in height.

20. No part of the development shall be occupied until details of the proposed arrangements and plan for future management and maintenance of the proposed streets including associated drainage of the development have been submitted to and approved by the LPA. The streets and drainage shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980.
21. No dwelling shall be occupied until their respective driveways and any communal parking/turning areas are surfaced in a hard bound material (*not loose gravel*), for a minimum distance of 5.0 metres behind the highway boundary. Any communal parking bays shall be clearly delineated. These areas shall be constructed with provision to prevent the discharge of surface water from the driveways to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.
22. The integral garages to the dwellings shall be kept available for the parking of cars at all times. The garage shall be used solely for the benefit of the occupants of the dwelling of which it forms part and their visitors and for no other purpose and permanently retained as such thereafter.
23. Any garage door(s) shall be set back from the highway boundary a minimum distance of 5.0 metres for sliding or roller shutter doors, 5.5 metres for up and over doors or 6.0 metres for doors opening outwards.
24. Pedestrian visibility splays of 2 x 2 metres shall be provided on each side of the vehicle access. These measurements shall be taken from and along the rear of the highway boundary into each dwelling curtilage. The areas of land forward of these splays shall be maintained free of all obstruction over 0.6 metres above the carriageway level at all times
25. Any proposed soakaway shall be located at least 5.0m to the rear of the highway boundary, unless otherwise approved in writing by the Local Planning Authority.
26. All gates to properties or driveways shall open inwards only and be set back from the highway boundary/edge.

REASONS

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.

2. To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application.
3. To future proof the development and in the interests of air quality.
4. In the interests of protecting bats.
5. In the interests of conserving, protecting and enhancing ecology on the site.
6. In the interests of protecting dwellings from flood risk.
7. In the interests of residential and visual amenity.
8. In the interests of protecting retained trees.
9. In the interests of residential amenity and highways safety.
10. To promote sustainable transport.
11. To ensure the development has provision for adequate facilities to dispose surface and foul water.
12. In the interests of amenity.
13. In the interests of visual amenity.
14. In the interests of visual amenity.
15. To ensure the development is constructed to a satisfactory/adoptable standard for use by the public and in the interest of safety for all highway users.
16. To ensure any future junction improvement schemes can be carried out and to provide improved sustainable movement options and in the interests of highway safety.
17. To ensure any future junction improvement schemes can be carried out and to provide improved sustainable movement options and in the interests of highway safety.
18. To ensure that drivers can exit the site without compromising the capacity of the Derby Road/Forest Road signalised junction, in the general interest of highway safety.
19. To maintain the visibility splays throughout the life of the development and in the interests of general highway safety.

20. To ensure that the road infrastructure is maintained to an appropriate standard.
21. To reduce the possibility of deleterious material/water being deposited on the public highway (loose stones etc) and in the interest of the safety of users of the highway.
22. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.
23. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.
24. In the interest of highway & pedestrian safety.
25. To protect the structural integrity of the highway and to allow for future maintenance.
26. To ensure open gates do not cause danger or obstruction to highway users

INFORMATIVE

1. This permission shall be read in accordance with an agreement made under Section 106 of the Town and Country Planning Act 1990.

2. Highway Licences/Permissions

Planning consent is not consent to work on or adjacent to the public highway, therefore prior to any works commencing on site including demolition works you must contact Highways Network Management at licences@viaem.co.uk to ensure all necessary licences and permissions are in place.

3. Land required for visibility splays

All required access and forward visibility splays must be adopted and constructed using low maintenance engineered specification. The HA will not accept free hold title deeds' incorporating positive/restrictive maintenance covenants, as this invariably generates difficulties for successive owners.

4. Works shall not project over the highway

No part of the proposed building/wall or its foundations, fixtures and fittings shall project forward of the highway boundary.

5. Prevention of Mud on the Highway

It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such the applicant should undertake every effort to prevent it occurring.

6. Commuted Sums

The applicant should note that any areas over the normal minimum, intended for adoption will require the payment of a commuted sum for future maintenance. (i.e. additional areas exceeding usual highway design requirements, additional street furniture, landscaping, Sustainable Drainage Systems, retaining walls, bollards and materials outside usual specification). The applicant is strongly advised to hold discussions with the relevant parties as soon as possible to agree sums, ownership and responsibility for perpetuity.

7. Adoption of roads/streets

The HA only seek to adopt roads where the new road network is acceptable in all highways and transportation terms. Accordingly, the HA may refuse to accept future maintenance liability of roads that do not meet the required standards and specification.

8. Section 278 Agreement (Highways Act 1980)

In order to carry out the off-site works required, the applicant 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 the applicant has no control. In order to undertake the works, which must comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks, the applicant will need to enter into an Agreement under Section 278 of the Act. The Agreement can take some time to complete as timescales are dependent on the quality of the submission, as well as how quickly the applicant responds with any necessary alterations. Therefore, it is recommended that the applicant contacts the Highway Authority as early as possible. Work in the public highway will not be permitted until the Section 278 Agreement is signed by all parties. Furthermore, any details submitted in relation to a reserved matters or discharge of condition planning application, are unlikely to be considered by the Highway Authority until technical approval of the Section 278 Agreement is issued.

Contact hdc.north@nottscc.co.uk 011580-40022

9. Section 38 Agreement (Highways Act 1980)

The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible. Furthermore, any details submitted in relation to a reserved matters or discharge of condition planning application, are unlikely to be considered by the Highway Authority until technical approval of the Section 38 Agreement is issued.

It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council in writing before any work commences on site.

Contact hdc.north@nottscc.co.uk 0115 804 00 22

P M Evans
Principal Highways Management/DC Officer (North)
Ashfield & Mansfield Area
Nottinghamshire County Council
Place (Investment & Growth) - Planning Group

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Ashfield
DISTRICT COUNCIL
MAP SCALE 1: 1250
CREATED DATE: 06/06/2019

COMMITTEE DATE 26/06/2019 **WARD** Jacksdale

APP REF V/2019/0126

APPLICANT P Parkinson Ashfield District Council

PROPOSAL Single Storey Rear Extension

LOCATION 50 Westdale Road, Jacksdale, Nottingham, NG16 5JF

WEB-LINK <https://www.google.com/maps/@53.0625008,-1.3308234,17z>

BACKGROUND PAPERS A, C

App Registered: 27/02/2019 Expiry Date: 01/07/2019

Consideration has been given to the Equalities Act 2010 in processing this application.

This application is referred to Planning Committee because the Council is the applicant.

The Application

This proposal is a single-storey flat-roofed extension to the rear of 50 Westdale Road. It will project approximately 7m from the rear of the property, be approximately 4m wide, and have a maximum height of just over 3m. The proposal also includes changes to the fenestration to the south side of the property which include the installation of a new window to serve a ground floor bedroom, slightly moving the location of the side entrance to the property and reducing the size of a kitchen window.

Consultations

Site Notices have been posted together with individual notification to surrounding residents.

Resident Comments:

2 letters of objection have been received from local residents. The grounds for the objections are:

- Overlooking impact
- Overshadowing impact
- Overbearing impact
- Parking concerns
- Loss of views
- Noise disturbance from construction

Policy

Having regard to Section 38 of the Planning and Compulsory Purchase Act 2004 the main policy considerations are as follows:

National Planning Policy Framework (NPPF) 2019:

Part 12 – Achieving Well Designed Places

Ashfield Local Plan Review (ALPR) 2002:

ST1 – Development

ST3 – Named Settlements

HG7 – Residential Extensions

JUS-t Neighbourhood Plan 2017:

NP1 – Sustainable Development

NP2 – Design Principles

SPD Residential Extensions Design Guide

Relevant Planning History

None.

Comment :

The application site is a semi-detached property, located in a residential area. The proposed rear extension will be located 3.5m from the boundary with the attached semi detached property, 48 Westdale Road, this distance increases to 4.4m beyond 4.4m from the rear of the property. There are no windows proposed to this side elevation. The proposal is located 2.2m from the boundary with 52 Westdale Road and is 5m from the property. Two windows to serve a wetroom and a ground floor bedroom are proposed to be installed in the side elevation of the extension facing towards no. 52. As explained above a further window at ground floor level is also proposed to be installed in the side elevation of the existing property facing no. 52. The proposal has been amended to include the erection of a 1.8m high fence to the southern boundary.

The main issues to consider are the impacts of the proposal on visual and residential amenity.

Visual Amenity:

Due to the nature of this application, it is considered that the proposed extension will have no detrimental impact upon the character of the street scene or the visual amenity of the area, however matching materials are proposed to be used within the scheme to ensure the development is sympathetic towards the design of the existing building and neighbouring properties.

Residential Amenity:

Two objections have been received from local residents in respect of the overbearing, overshadowing and overlooking impact created by the proposal.

Due to the overall height and proximity of the extension to the neighbouring properties, it is considered that the proposal will not result in a significant overbearing impact.

The Council's Residential Extensions Design Guide requires extensions to not breach the BRE 45° code in plan and elevation. The 45° code measures loss of light to windows at neighbouring properties. The proposal has been assessed in this respect, and whilst the proposal breaches the code in plan, it is not breached in elevation, resulting in no significant loss of light to neighbouring residents.

The proposed extension will incorporate two windows on the side elevation, facing 52 Westdale Road, to serve a bedroom and a wet room. These windows will face towards the garden space of no. 52. At the present time there is a boundary fence approximately 1m in height between the application site and no. 52. To prevent any overlooking from the proposed windows, a 1.8m high fence is proposed to be erected along this boundary, to protect the amenity of residents at the application site and no. 52. A condition would be attached to any approval requiring the fence to be erected prior to the occupation of the extension.

Concerns raised in respect of loss of views and construction noise are not material planning considerations in the determination of this application.

Conclusion :

Overall, the proposal is considered to be appropriate in terms of scale and siting within the site, and by using matching materials, is sympathetic to its surroundings. The proposal would also not have a significant detrimental overshadowing, overbearing or overlooking impact on the adjacent neighbouring properties.

The proposal will also result in the development of an accessible space for the future occupiers of the property, consequently significantly improving their quality of life.

It is therefore recommended this application be granted planning permission, subject to the below conditions:

Recommendation: Approve – Conditional Consent

CONDITIONS

1. The development hereby approved shall be begun before the expiration of 3 years from the date of this permission.
2. The materials and finishes to be used for the external elevations and roof of the proposal shall match those detailed in the submitted application form.

3. This permission shall be read in accordance with the following plans: Proposed Layout and Elevations, Drawing No. KC/50 Westdale/PL/02, Received 26/02/19; Fence Plan, Received 21/05/19. The development shall thereafter be undertaken in accordance with these plans unless otherwise agreed in writing by the Local Planning Authority.
4. Prior to the occupation of the hereby permitted extension, a 1.8m high fence shall be erected along the boundary between 50 and 52 Westdale Road, as per the approved Fencing Plan, received 21/05/19. This fence shall be retained in perpetuity.

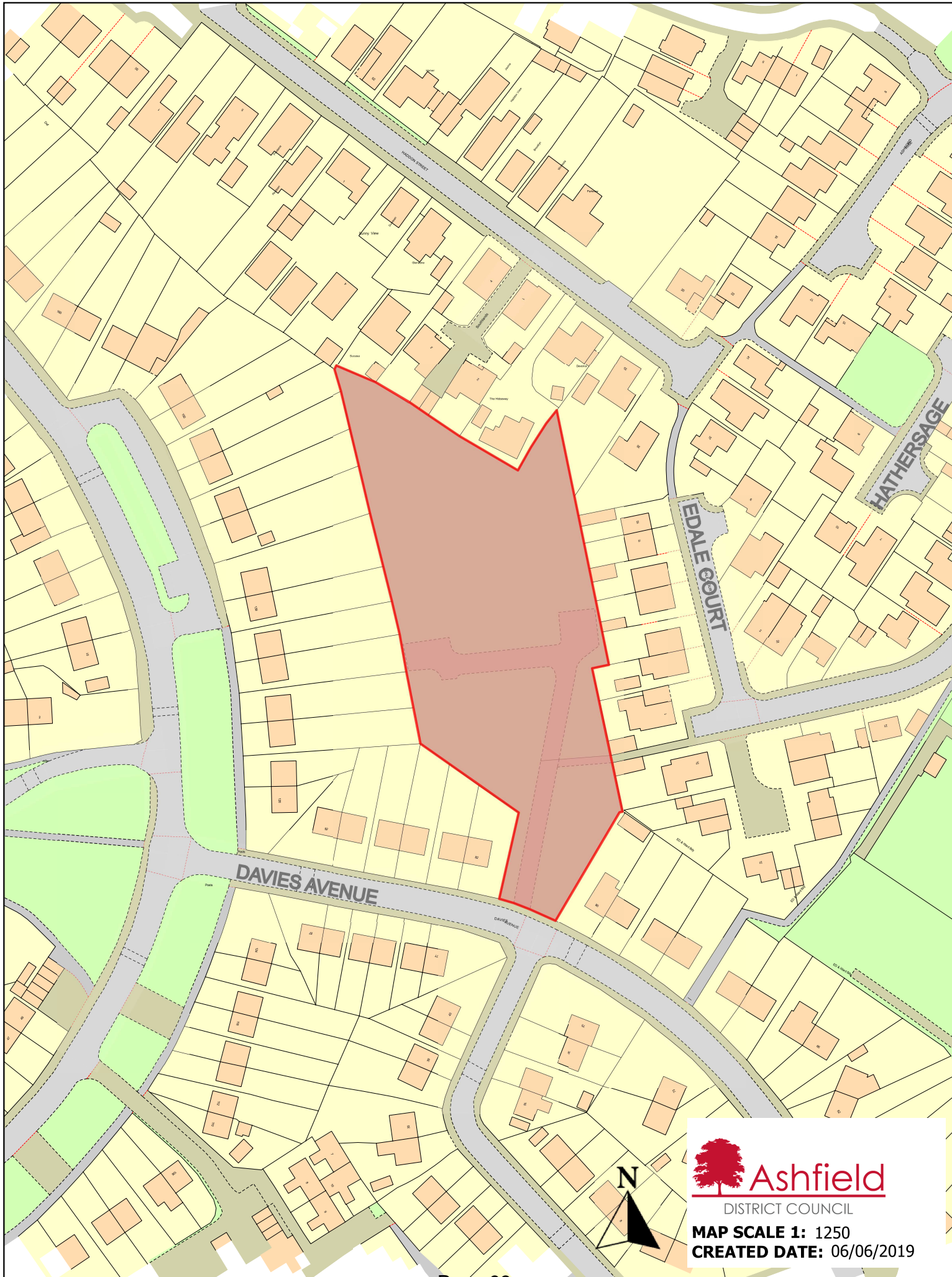
REASONS

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.
2. To ensure the satisfactory appearance of the development.
3. To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application.
4. To safeguard the amenities of residents living in dwelling(s) located in the vicinity of the application site.

INFORMATIVE

1. The applicant/developer is strongly advised to ensure compliance with all planning conditions, if any, attached to the decision. Failure to do so could result in LEGAL action being taken by the Ashfield District Council at an appropriate time, to ensure full compliance. If you require any guidance or clarification with regard to the terms of any planning conditions then do not hesitate to contact the Development & Building Control Section of the Authority on Mansfield (01623 450000).

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Ashfield
DISTRICT COUNCIL
MAP SCALE 1: 1250
CREATED DATE: 06/06/2019

COMMITTEE DATE 26/06/2019 **WARD** The Dales

APP REF V/2019/0298

APPLICANT Ashfield District Council

PROPOSAL Display of 2 vinyl banner signs

LOCATION Land adjacent 80 Davies Avenue, Sutton in Ashfield, NG17 2BJ

WEB-LINK <https://www.google.com/maps/@53.1313475,-1.265549,242a,47.8y,0.13t/data=!3m1!1e3>

BACKGROUND PAPERS A

App Registered: 08/05/2019 Expiry Date: 02/07/2019

Consideration has been given to the Equalities Act 2010 in processing this application.

This application is referred to Planning Committee because the Council is the applicant.

The Application

The application proposes 2 temporary vinyl banner signs that that will promote forthcoming Council housing.

Consultations

No comments were received from residents.

Policy

Having regard to Section 38 of the Planning and Compulsory Purchase Act 2004 the main policy considerations are as follows:

National Planning Policy Framework (NPPF) 2018:

Part 12 – Achieving Well Designed Places

Ashfield Local Plan Review (ALPR) 2002:

ST1 – Development

ST2 – Main Urban Area

Comment:

The application proposes 2 temporary vinyl banner signs each measuring 2.0m x 0.8m and will be attached to an existing gate. This area is Council owned land which was previously occupied by Sutton Town Social Club (now demolished) and currently fenced off from public access.

Visual Amenity:

Both signs will be made from vinyl and attached to the gates using cable ties. Both signs will be 1.5m above ground level and will be visible from Davies Avenue and an adjacent footpath that leads to Milldale walk and Edale Court.

Granting consent for the proposed banners will increase the opportunity to raise awareness about the forthcoming Council housing in this location.

Residential Amenity:

No comments have been received from residents.

The application is considered not to significantly impact the amenity of neighbouring properties.

Conclusion :

Overall, the proposal is considered to be appropriate in terms of siting, size and design and will not adversely impact the street scene. The proposal is limited in any impact on the amenity of neighboring residents. Approval is therefore recommended for this application, subject to the below conditions:

Recommendation: Grant – Conditional Consent

CONDITIONS

1. The development hereby approved shall be begun before the expiration of 3 years from the date of this permission.
2. This permission shall be read in accordance with the following plans and details: site plan 1:1250, proposed banner sign plan. The development shall thereafter be undertaken in accordance with these plans unless otherwise agreed in writing by the Local Planning Authority.
3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
4. Where an advertisement is required under Schedule 2 of the Town and Country Planning (Control of Advertisement) (England) Regulations 2007 to be removed; the site shall be left in a condition that does not endanger the public or impair visual amenity.

REASONS

- 1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.**
- 2. To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application.**
- 3. To comply with the requirements of the Town and Country Planning (Control of Advertisement) Regulations 2007.**
- 4. To comply with the requirements of the Town and Country Planning (Control of Advertisement) Regulations 2007.**

INFORMATIVE

- 1. The applicant/developer is strongly advised to ensure compliance with all planning conditions, if any, attached to the decision. Failure to do so could result in LEGAL action being taken by the Ashfield District Council at an appropriate time, to ensure full compliance. If you require any guidance or clarification with regard to the terms of any planning conditions then do not hesitate to contact the Development & Building Control Section of the Authority on Mansfield (01623 450000).**



Ashfield
DISTRICT COUNCIL
MAP SCALE 1: 1250
CREATED DATE: 06/06/2019

COMMITTEE DATE 26/06/2019 **WARD** Dales Ward

APP REF V/2019/0224

APPLICANT Mr & Mrs Matthews

PROPOSAL Single Storey Front Extension

LOCATION 112
Farndale Road
Sutton in Ashfield
Notts
NG17 4NF

WEB-LINK: <https://www.google.co.uk/maps/place/112+Farndale+Rd,+Sutton-in-Ashfield+NG17+4NG/@53.1394799,-1.2586562,160m/data=!3m1!1e3!4m5!3m4!1s0x487996626f916161:0x8a991ee34f6bf19c!8m2!3d53.1394703!4d-1.2581841>

BACKGROUND PAPERS

A, C

App Registered 02/04/2019

Expiry Date 27/05/2019

Consideration has been given to the Equalities Act 2010 in processing this application.

This application has been referred to Planning Committee by Councilor Helen-Ann Smith on the grounds of visual amenity.

The Proposal

This is a single storey 'L' shaped extension to the front of the existing property. It is shown to project from the principle elevation by approximately 4m adjacent to No.114, and project approximately 1m adjacent to No.110. The proposal will incorporate a pitched roof, and reach an eaves and ridge height of approximately 2.2m and 3.6m respectfully. The eaves are consistent with the main property, with the ridge height being approximately 0.5m lower than the main property.

Consultations

Individual notifications have been sent to surrounding residents.

Resident Comments:

2 letters of objection have been received from the same neighbouring resident, which raise the following points of objection:

- A touring caravan blocks light into two windows; the kitchen and bathroom.
- A request has been made for the applicants to locate their caravan to the front of their property, however this application will prevent them from doing so.
- The caravan restricts parking at the address, resulting in there being 1 car on the drive and 1 on the road.

In response to the above points of objection, the applicant has made the following comments:

- Placing the caravan on the front of the property would cause issues for highway safety by affecting visibility for driveways.
- There is an existing 1m walkway between the current position of the caravan and the neighbouring property.
- One of the rooms affected is served by two windows, with the second window being located on the front of the house which benefits from direct sunlight.
- This application will allow for the existing driveway to be widened, to accommodate both vehicles.
- There is nothing contained within the property deeds restricting the placement of caravans.

Policy

Having regard to Section 38 of the Planning and Compulsory Purchase Act 2004 the main policy considerations are as follows:

National Planning Policy Framework (NPPF):

Part 12 – Achieving Well Designed Places

Ashfield Local Plan Review (ALPR) 2002:

ST1 – Development

ST2 – Main Urban Area.

HG7 – Residential Extensions

SPD Residential Extensions Design Guide (2014).

SPD Residential Car Parking Standards (2014).

Relevant Planning History

None.

Comment :

The main issues to consider are the impacts of the proposal on visual and residential amenity, in addition to highway safety.

Visual Amenity:

The proposal is sympathetic in design and reflects characteristic visible within the main property, and within the wider vicinity.

Nearby properties within the immediate vicinity have historically extended to the front of their properties, most notably is No.108 which displays a front extension reflective in design, scale and appearance of the current proposal.

No.110 have also historically extended to the front of their property by approximately 2m across the whole frontage, which incorporated a high ridge to match the existing property. This extension resulted in the side kitchen window being relocated to its current position.

Matching materials are proposed to be used for the development, ensuring it assimilates with the existing property and wider street scene.

In light of the above it is therefore considered that the proposed works will not have a detrimental impact upon the visual amenity of the area, and will not detract from the character of the street scene.

Residential Amenity:

Two comments have been received from a neighbouring property commenting on the impact on light entering their property as a result of the current siting of a touring caravan.

The siting of the touring caravan is not an issue for refusing planning permission for the extension, and thus the extension should be considered on its own merits.

The parking of a touring caravan within the curtilage of a residential property is not development, and therefore is not a matter the council can consider.

Both neighbouring properties have existing windows present in their side elevations, which currently face onto the existing dwelling of No.112. It is therefore considered that due to the current position of the windows, the proposed siting of the extension is unlikely to affect light entering these windows.

The 25 and 45 degree codes have been applied in plan and elevation view, and the proposed extension does not cause undue overshadowing, nor would it appear overbearing due to its design and scale.

No windows are proposed to be installed in any side elevation of the extension.

The potential impact upon all neighbouring properties has been assessed and considered. Due to the proposals size and position, it is considered there shall be no detrimental overbearing, overshadowing or loss of privacy experienced by any neighbouring properties.

Highways:

The existing driveway is approximately 14.2m in length, and 2.6m wide, with an existing single garage towards the rear of the site.

The driveway is to remain unaffected by the proposal, and as the extension would not introduce further bedrooms at the address, no further off-street parking spaces would be sought. Off-street parking for at least two vehicles can easily be accommodated, as per the council's adopted 'Residential Car Parking Standards' SPD.

Conclusion :

Overall the proposal is considered to be an appropriate form of development as a result of its scale, siting and appearance. Matching materials are proposed to be used to ensure the development has a satisfactory appearance within the street scene.

The impact upon all neighbouring properties has been assessed, and it is considered that there shall be no undue harm to their living conditions as a result of the proposed extension. The location of where a touring caravan is parked is not a material planning consideration in this application.

It is therefore recommended that this application be granted planning permission, subject to the following conditions.

Recommendation: - Approval – Conditional Consent

CONDITIONS

1. The development hereby approved shall be begun before the expiration of 3 years from the date of this permission.
2. The materials and finishes to be used for the external elevations and roof of the proposal shall match those used in the existing dwelling.
3. This permission shall be read in accordance with the following plans: Site Location Plan. Block Plan, Drawing No.Mar/BP/2019. Existing and Proposed Floor Plans, Drawing No's.Mar/EPL/2019 and Mar/LP/2019. Proposed Elevations, Drawing No.Mar/PE/2019. All drawings received 01/04/2019. The

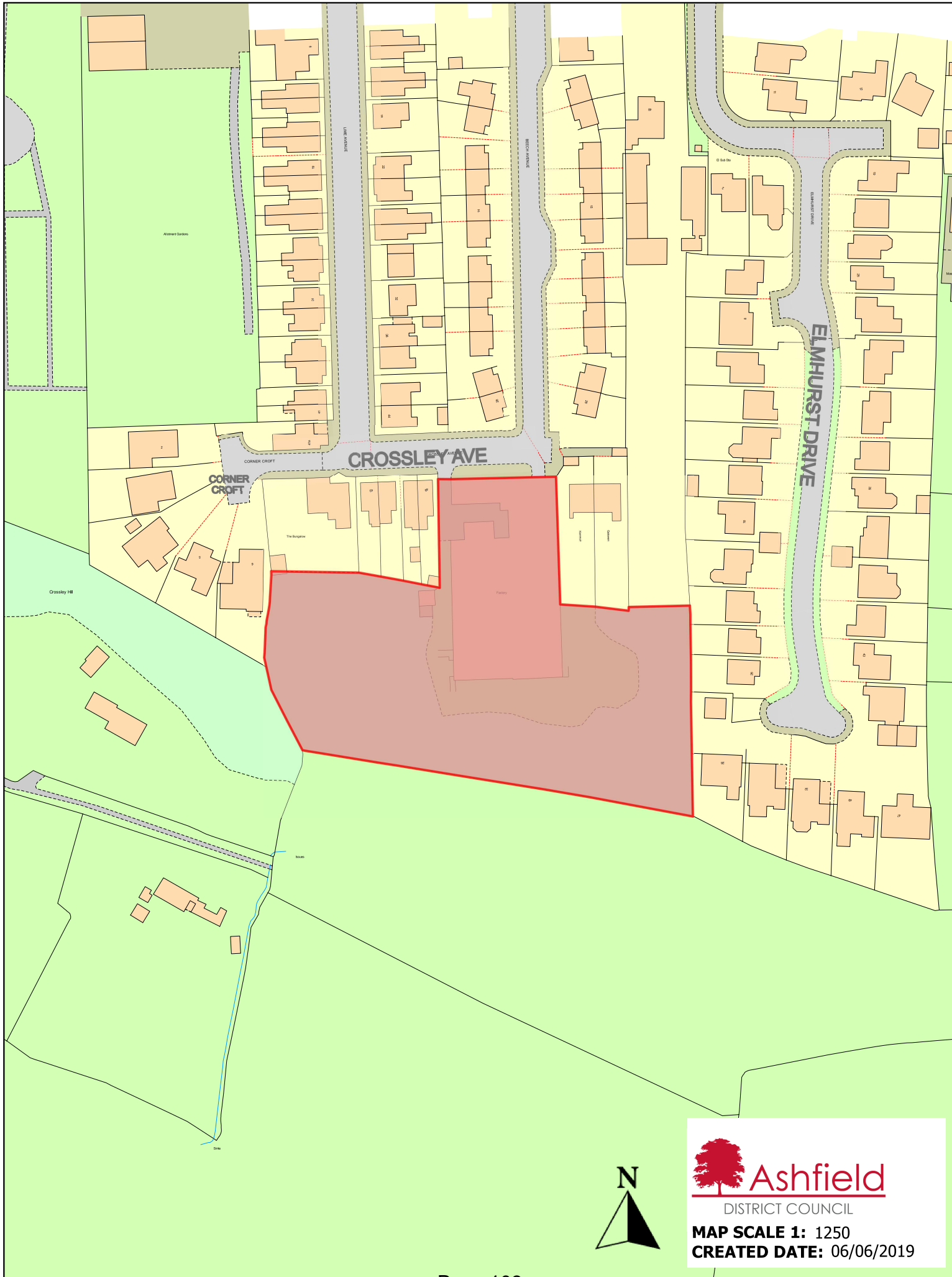
development shall thereafter be undertaken in accordance with these plans unless otherwise agreed in writing by the Local Planning Authority.

REASONS

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.
2. To ensure the satisfactory appearance of the development.
3. To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application.

INFORMATIVE

1. The applicant/developer is strongly advised to ensure compliance with all planning conditions, if any, attached to the decision. Failure to do so could result in LEGAL action being taken by the Ashfield District Council at an appropriate time, to ensure full compliance. If you require any guidance or clarification with regard to the terms of any planning conditions then do not hesitate to contact the Development & Building Control Section of the Authority on Mansfield (01623 450000).



COMMITTEE DATE 26th June 2019 **WARD** Huthwaite and Brierley

APP REF V/2018/0212

APPLICANT M Fishleigh

PROPOSAL Outline Application for Demolition of Existing Industrial Premises and Construction of Up To 23 Dwellings

LOCATION The Pattern House, Crossley Avenue, Huthwaite, Sutton in Ashfield, Nottingham, NG17 2NT

BACKGROUND PAPERS A; B; C; D; E; F; I; K

App Registered 05/04/2018 Expiry Date 05/07/2018

Consideration has been given to the Equalities Act 2010 in processing this application.

This application has been referred to Planning Committee as the application is a departure from the Ashfield Local Plan Review (2002)

The Application

This is an application for Outline Planning Permission for the demolition of the existing industrial premises and construction of up to 23 dwellings. All matters, including access, are reserved for future consideration.

The Site

The application site is located at the southern end of Crossley Avenue and consists of a factory premises, formed by a collection of buildings joined together. The remainder of the site is undeveloped containing a number of trees, some of which are subject to a Tree Preservation Orders. To the south of the site lies Rockery Park, the remainder of the surrounding area is residential in character.

Consultations

Site and Press Notices have been posted together with individual notification of surrounding residents. The response from consultees and the local community are summarised as follows:

Coal Authority – The application falls within an area defined as Low Risk and as such the Coal Authority have referred to standing advice.

Nottinghamshire Wildlife Trust – No comments received.

A.D.C Place and Wellbeing - The proposed new tree planting, enhancement of the existing hedgerows and demolition of the factory unit would comply with the landscape actions set out within the Greater Nottinghamshire Landscape Character Assessment 2009. Details should, however, be provided of the exact planting specifications.

A contribution should also be sought for the following:

- £46,000 towards public realm improvement at Low Street, or Albert Square (Sutton Town Centre) including but not limited to paving works, signage and new street furniture.
- £23,000 towards upgrading junior teenage play provision at Huthwaite Welfare or visitor car parking improvements to Brierley Forest Park.

A.D.C Drainage – No known drainage issues with the site, but percolation tests are required to check the grounds suitability for soakaways.

A.D.C Environmental Health (Land Contamination) – The site is used for a factory, which is considered to have the potential to result in land contamination. A full four stage contamination condition is therefore recommended.

Nottinghamshire County Council Planning Policy – Have provided comments setting out the relevant policies in relation to waste, minerals, transport and education. It has also been advised that as a number of mature trees are to be felled, bat surveys should be carried out prior to determination.

Developer contributions have been sought in respect of bus stop improvements £15,000, with Travel and Transport also wishing to negotiate with the developer regarding a bus service to the site. A contribution has also been sought for education for £57,275 (5 primary school places) and £69,040 (4 secondary places).

Nottinghamshire County Council Highways Authority – Have objected to the access details. Plans were submitted attempting to overcome the issues raised, however the swept path required for refuse vehicle means it would be necessary to move the access road further to the east. The HA are satisfied that an access can be achieved but details are required.

Severn Trent Water – Recommend a condition is attached for drainage plans to be submitted to the Local Planning Authority.

Community

A total of 5 letters of objection have been received from 4 households. Their concerns are summarised below:

- The Access to the development should be taken off Beech Avenue, as the existing entrance across from a garage may cause road safety issues;
- The road is inadequate to serve the development;
- The development is too close to existing houses;
- There would be a loss of natural habitat and trees;
- The vacation of the existing factory could result in safety issues;
- There is a storage tank which protrudes onto a neighbouring property;
- Parking would become an issue;
- Concerns over the boundary treatments;
- There may be job losses at the existing industrial premises;

The concerns raised by local residents are addressed within the main body of the report.

Policy

Under the Planning and Compulsory Purchase Act 2004, section 38(6) applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Therefore, the starting point for decision-making are the policies set out in the Ashfield Local Plan Review 2002 (saved policies). The National Planning Policy Framework (NPPF) is a material consideration. The policies listed below are considered relevant to this application:

Ashfield Local Plan Review 2002 as amended by "saved policies" 2007 (ALPR)

- Policy ST1: Development.
- Policy ST2: Main Urban Areas.
- Policy EV6: Sites of Importance for Nature Conservation.
- Policy EV8: Trees and woodlands.
- Policy EM5: Protection of Existing Employment Sites.
- Policy HG3: Housing density.
- Policy HG4: Affordable Housing.
- Policy HG5: New residential development.
- Policy HG6: Open space in residential developments.
- Policy TR6: Developer contributions to transport improvements

Material considerations

National Planning Policy Framework (NPPF) policies relevant to the application are:

- Para 11: Sustainable Development.
- Part 5: Delivering a sufficient supply of homes.
- Part 6: Building a strong, competitive economy.
- Part 8: Promoting healthy and safe communities
- Part 9: Promoting sustainable transport.
- Part 11: Making effective use of land.

- Part 12: Achieving well designed places.
- Part 14: Meeting the challenge of climate change, flooding and coastal change
- Part 15: Conserving and enhancing the natural environment.

Supplementary Planning Documents

- Residential Design Guide SPD 2014
- Residential Car Parking Standards 2014

Relevant Planning History

V/1987/0283 – Site for residential development. Consent. 30/07/1987

V/2008/0009 – Demolition of factory and erection of 23 houses with associated access and parking. Withdrawn.

V/2017/0228 – Outline Application with some matters reserved for demolition of industrial unit and erection of up 23 dwellings with associated access and parking. Withdrawn.

Comment:

The main issues in the determination of this application are:

1. Principal of Development
2. Impact on Landscape Character
3. Loss of Trees
4. Ecology
5. Residential Amenity
6. Highways Safety
7. Developer Contributions and Viability
8. Planning Balance

1. Principal of Development

The proposal site is located in the Main Urban Area as defined by Ashfield Local Plan Review 2002 (ALPR), Policy ST2 and the Proposals Map. The Policy identifies that development will be concentrated within the Main Urban Areas. The proposal would comply with this policy.

The application site is partially occupied as a factory. Policy EM5 of the Ashfield Local Plan Review 2002 sets out a policy protection for existing employment sites and buildings, as employments sites in urban areas are subject to pressures for their conversion to alternative uses. Under Policy EM5 the loss of an employment site would only be permitted where:

- a. Retention of the employment use would cause unacceptable environmental problems; or
- b. The building or site is no longer capable of providing an acceptable standard of accommodation for employment purposes and this can be demonstrated by lack of demand.

The Design and Access Statement and covering letter sets out that the premises are nearing the end of their functional life. The initial buildings were constructed in the 1950s and are currently in poor condition, with water ingress into the property and a number of windows missing. A substantial issue is that the property can only be accessed by either Lime Avenue, or Beech Avenue. These are both residential streets, requiring on street parking for residents, which makes it less attractive to potential occupiers. The supporting information demonstrates that the site has been marketed through a sale board, social media, direct mailing and on property websites, however no serious offers have been received.

Although the site is currently occupied and thus in some conflict with Policy EM5, this conflict has to be set in the context of the existing state of the employment site, lack of demand and the provisions of the NPPF. The NPPF identifies that a positive approach should be taken to alternative uses of land, which is currently developed but not allocated. This includes employment land for homes in areas of high demand. (NPPF para 121). Paragraph 118 of the NPPF also identifies that decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes.

2. Impact on Landscape Character

The site is located on the edge of the defined main urban area at the top of a relatively steep sloping site. The land to the south of the site slopes away and comprises agricultural fields and the old landfill site, which has been redeveloped to form Rookery Park. The frontage of the site facing onto Crosseley Avenue comprises the existing factory unit.

The proposed new tree planting, enhancement of the existing hedgerows and demolition of the factory unit would comply with the landscape actions set out within the Greater Nottinghamshire Landscape Character Assessment 2009. The submitted layout plan shows the proposed residential development could be screened from the surrounding open areas, particularly to the south, where there are a number of TPO trees to be retained along with new planting.

The existing factory is currently in a poor state of repair, and although the design of the properties has not been submitted at this stage, it is likely these could be designed to enhance the appearance of the area.

3. Loss of Trees

There is a Tree Preservation Order which covers much of the site. An up to date Tree Survey has been submitted, which identifies that a number of the trees listed by the Order have died, or are in poor health and unsuitable for retention on arboricultural grounds. The majority of trees to be removed for the site are considered to be of the lowest quality, offering fairly limited amenity value. The trees of higher quality are shown to be retained on the indicative layout. A scheme of new tree planting is also to be undertaken using a species considered more appropriate for a residential area.

The Councils Tree Officer has confirmed the veracity of the report and its recommendations, noting the works are considered appropriate in the context of safe tree retention and site safety. The Tree Officer has however identified further information is required in the form of an updated arboricultural method statement and a post felling works assessment of the retained trees. This information will be secured through an appropriately worded planning condition.

On the basis of the above, the proposal is considered not to be in conflict with Policy EV8 of the Local Plan, which seeks to protect trees worthy of retention.

4. Ecology

The application site has no ecological designation, although it is covered by a number of trees and as a result, a Phase 1 Ecological Survey has been undertaken. The report identifies that there are mature trees on site, which have potential roosting value for bats.

As detailed above, the trees on site, which are being felled are being done so on the grounds of site safety and safe tree retention. The works have been considered appropriate by the Councils tree officer and therefore necessary. The submitted Ecological report identifies that prior to any felling further surveys are to be carried out. If roosts are located, then a Conservation Regulations Licence for the works will be required from Natural England.

In terms of mitigation and compensation, the application proposes to retain the majority of trees identified as moderate quality and value. Further tree planting is proposed to be undertaken along the sites boundaries, potentially providing additional foraging resources for a range of species. Bat friendly planting (designed to help attract bats) is also to be included in the landscaping, along with a sensitive lighting strategy. These measures are to be secured through a planning condition.

The tree works are considered necessary for site safety purposes and adequate mitigation/compensation will be secured, thus ensuring the favourable species status of any potential bats will be maintained. The proposal has been assessed against

the three licensing criteria within Natural England Guidance and in accordance with the Habitat and Species Regulations (2017).

5. Residential Amenity

A resident has raised concerns surrounding the development being too close to existing dwellings. Although, this is an outline application, an indicative layout plan has been submitted, which shows that a development for 23 dwellings could be accommodated and achieve the Councils minimum required separation distances, as set out within supplementary planning guidance.

Any subsequent Reserved Matters application will be closely examined to ensure the guidance is complied with and that there would be no adverse impact on the living conditions of neighbouring occupiers, through loss of privacy, or overshadowing impacts.

6. Highways Safety

The Highways Authority have raised concerns over the location of the proposed access shown on the submitted layout plan, noting it may be necessary to move the access road further to the east, due to the requirement to manoeuvre refuse vehicles. As this application is an Outline, with all matters reserved for future consideration, the access position will be fully considered at Reserved Matters stage

Residents have raised concerns regarding the adequacy of the road to service an additional 23 dwellings. The road currently serves a factory unit, along with a number of other residential dwellings and appears to be constructed to a good standard.

No in-principal objection has been received from the Highways Authority, and as a result, it is considered that the proposal would not give rise to any highways safety concerns. Accordingly, the proposal would comply with Policy ST1 (c), which identifies that development will be permitted where it will not adversely affect highway safety.

7. Developer Contributions and Viability

The following contributions have been requested/required:

- £15K Bus stop improvements by Nottinghamshire County Council Transport and Travel
- £23k Public open space and £46k Public Realm by Ashfield District Council Place and Wellbeing.
- £57,275 Primary Education and £69,040 Secondary education by Nottinghamshire County Council Education.

In accordance with the NPPF paragraph 64 it is considered that 10% affordable housing should be provided.

The developer has, however, confirmed that they are unable to provide any contributions for the scheme. A viability report has been submitted, which demonstrates that the scheme cannot viably provide any affordable units, or Section 106 contributions. The viability report has been assessed by the District Valuer, whom have confirmed the veracity of the report and that the scheme cannot meet any planning obligations.

The Council did raise concern over the land value being too high. However, the District Valuer confirmed that the figure is in line with other brownfield sites they have appraised, which have similar abnormal costs.

Planning Practice Guidance identifies for the purpose of plan making an assumption of 15-20% of gross development value (GDV) may be considered a suitable return to developers. The submitted viability appraisal demonstrates that with no S106 contributions, developer profit would be at 18.07%, with a contribution of £69,000 – even below the figure required by the Council – this would fall to 15.5%. The district valuers appraisal identifies that at a profit margin of 17.5%, even with no developer contributions, the development would still be unviable.

Notwithstanding the submitted Viability Assessment, Officers of the Council have suggested a contribution of £80,275 to meet the primary education and open space requirements. The applicant has considered this request and made an offer of £34,365 for the cost of 3 primary school places. They have also provided recent appeal decisions in Gedling and Mansfield, where viability was a significant concern and the Inspector concluded that a reduced contribution would still serve a useful purpose.

There is a significant shortfall in terms of the required contributions that would normally be expected. However, when taking into account the viability appraisal, the contribution offered toward education is, on balance, considered to be reasonable.

8. Conclusions and Planning Balance

There would be some degree of conflict with Policy EM5 of the Ashfield Local Plan Review, as the unit is still currently occupied, although this conflict is reduced given the current state of the building and its attractiveness to any future occupiers. Moreover, the NPPF identifies that a positive approach should be taken to alternative uses of land, which is currently developed but not allocated.

The proposal would involve the loss of Trees Covered by a Preservation Order, some of which hold potential for Bat roosting. However, the Councils Tree Officer has raised no objection to the removal of the trees and a scheme of replacement

planting is to be provided, along with other ecological mitigation and enhancement measures.

Given the shortfall in terms of the required infrastructure contributions, there are concerns regarding the sustainability of the development. However, following negotiation, Officers have achieved what is considered to be a reasonable contribution towards primary education. On balance, this reduced contribution is considered to be acceptable when taking into account the viability information and also recent appeal decisions in neighbouring authorities.

The proposal would bring substantial social benefits through the provision of 23 additional homes. The NPPF seeks to significantly boost the supply of housing and this benefit is afforded significant weight within the planning balance. Further benefits are likely to accrue from the re-development of a brownfield site and its potential to enhance the appearance of the area.

Overall, it is considered that the harms arising from the development do not significantly and demonstrably outweigh the benefits. Therefore, the proposals would be compliant with the NPPF when considered as a whole and amount to sustainable development.

Recommendation: - Approve, subject to the satisfactory completion of a Section 106 Agreement for a contribution of £34,365 towards primary education.

CONDITIONS

1. The formal approval of the Local Planning Authority shall be obtained prior to the commencement of any development with regard to the following Reserved Matters:
 - (a) Layout
 - (b) Scale
 - (c) Appearance
 - (d) Landscaping
 - (e) Access
2. Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
3. The development to which this permission relates shall be begun not later than the expiration of 2 years from the final approval of the Reserved Matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
4. Details of appearance, landscaping and layout required to be submitted and approved under Condition 1 shall include details of:

- i. The design, layout and form of the dwellings, including details of the external surfaces and materials to be used;
 - ii. fencing, walling, boundary treatments and means of enclosure;
 - iii. a scheme of hard and soft landscaping, including additional planting along the boundaries of the site, the specification of trees, hedges and shrub planting and details of species, density and size of stock;
 - iv. existing and proposed ground levels and those of surrounding buildings;
 - v. refuse/recycling storage and collection points;
 - vi. provision for electric vehicle charging points;
 - vii. measures to minimise the risk of crime;
5. The landscaping works shall be carried out in accordance with the approved details agreed by the Local Planning Authority and any trees or plants which within a period of 5 years from the date of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the local planning authority gives written approval to any variation.
6. No dwelling shall be occupied until an external lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall ensure adequate illumination of roads and paths and avoid any unnecessary light pollution. The strategy shall: (i) identify areas and features on site that are particularly sensitive for bats, and (ii) provide details of how and where external lighting will be installed so that lit areas will not disturb and prevent bats using their territory, including breeding sites and resting places. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.
7. The development shall be undertaken in accordance with the submitted Arboricultural Assessment dated March 2017. However, prior to the commencement of development an Arboricultural Method Statement and Management Plan shall be submitted and agreed in writing by the Local Planning Authority. These shall detail the exact nature of any engineering works required within close proximity to the retained trees detailed and a post felling works assessment of the retained trees.
8. The development shall be undertaken in accordance with the Ecological Assessment dated 22nd February 2017. Prior to the felling of any trees, further Bat Surveys shall be carried out in accordance with the submitted Ecological Assessment. The results of these bat surveys, along with the details of any Licence that may be required from Natural England, shall be submitted to and agreed in writing by the Local Planning Authority, prior to the felling of any trees.

9. Prior to the commencement of development, a detailed Landscape and Ecological Management Plan (LEMP) for the site shall be submitted to and approved in writing in accordance with the recommendations set out within the Ecological Assessment dated 22nd February 2017. The plan shall include full details of landscape and ecological management objectives, operations and maintenance prescriptions, together with their timings. The plan shall also include the following details:

- details of new habitat created on site (Inc. bird and bat boxes)
- details of maintenance regimes and management responsibilities

The LEMP shall be carried out as approved, and the site maintained thereafter in accordance with it.

10. Prior to the commencement of development, a demolition method statement shall be submitted to and approved in writing by the Local Planning Authority.

11. Prior to the commencement of development, a construction management plan shall be submitted to and approved in writing by the Local Planning Authority, this should include:

- How construction traffic will access the site;
- Proposed hours and days of working;
- The parking of vehicles of site personnel, operatives and visitors;
- Location of the site storage areas and compounds;
- Wheel washing facilities;
- A strategy for the minimization of dust and vibration;
- A strategy for the minimisation of noise, vibration and dust;
- Site contact detail in case of complaints;

The approved details shall be adhered to throughout the construction period.

12. The dwellings shall not be occupied until a travel plan to promote and encourage the use of alternative modes of transport to the car has been submitted to and approved in writing by the local planning authority. The travel plan shall include raising awareness in respect of cycling, walking, car share initiatives, car clubs and providing details of a nominated travel plan co-ordinator. The scheme shall include, for the first occupier of each dwellings, the provision of a travel information welcome pack to raise awareness in respect of sustainable transport modes.

13. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and

approved by the Local Planning Authority. The surface water drainage scheme shall include sustainable drainage principles and be implemented in accordance with the approved details before the development is first brought into use.

14. Prior to the commencement of any works pursuant to this permission the applicant shall submit the following to the Local Planning Authority (LPA):

1. A Desktop Study/Phase I Report documenting the historical use(s) of the site and its immediate environs. This shall include a conceptual site model indicating all potential pollutant linkages.

2. A Site Investigation/Phase II Report where any previous use of the site indicates a potential contaminative use. The applicant/developer shall submit a Site Investigation/Phase II Report documenting the characteristics of the ground at the site. The Site Investigation should establish the full extent, depth and cross-section, nature and composition of the contamination. Ground gas monitoring and chemical analysis, identified as being appropriate by the Desktop Study, should be carried out in accordance with current guidance using UKAS/MCERTS accredited methods. All technical data must be submitted to the LPA.

3. A Scheme of Remedial Works where the Site Investigation has identified the presence of significant levels of harmful ground gas and/or significant levels of chemical contamination. The scheme should include a Remediation Statement and Risk Assessment Strategy to prevent any significant risk arising when the site is being developed or subsequently occupied.

Any variation to the Remediation Scheme shall be agreed in writing with the LPA, in advance of works being undertaken.

All remediation should be carried out safely, ensuring that no significant risk(s) remain. The applicant will need to have a contingency plan should the primary remediation or subsequent construction phase reveal any additional contamination. Where additional contamination is found the applicant must submit in writing, details of the contingency plan for written approval by the LPA.

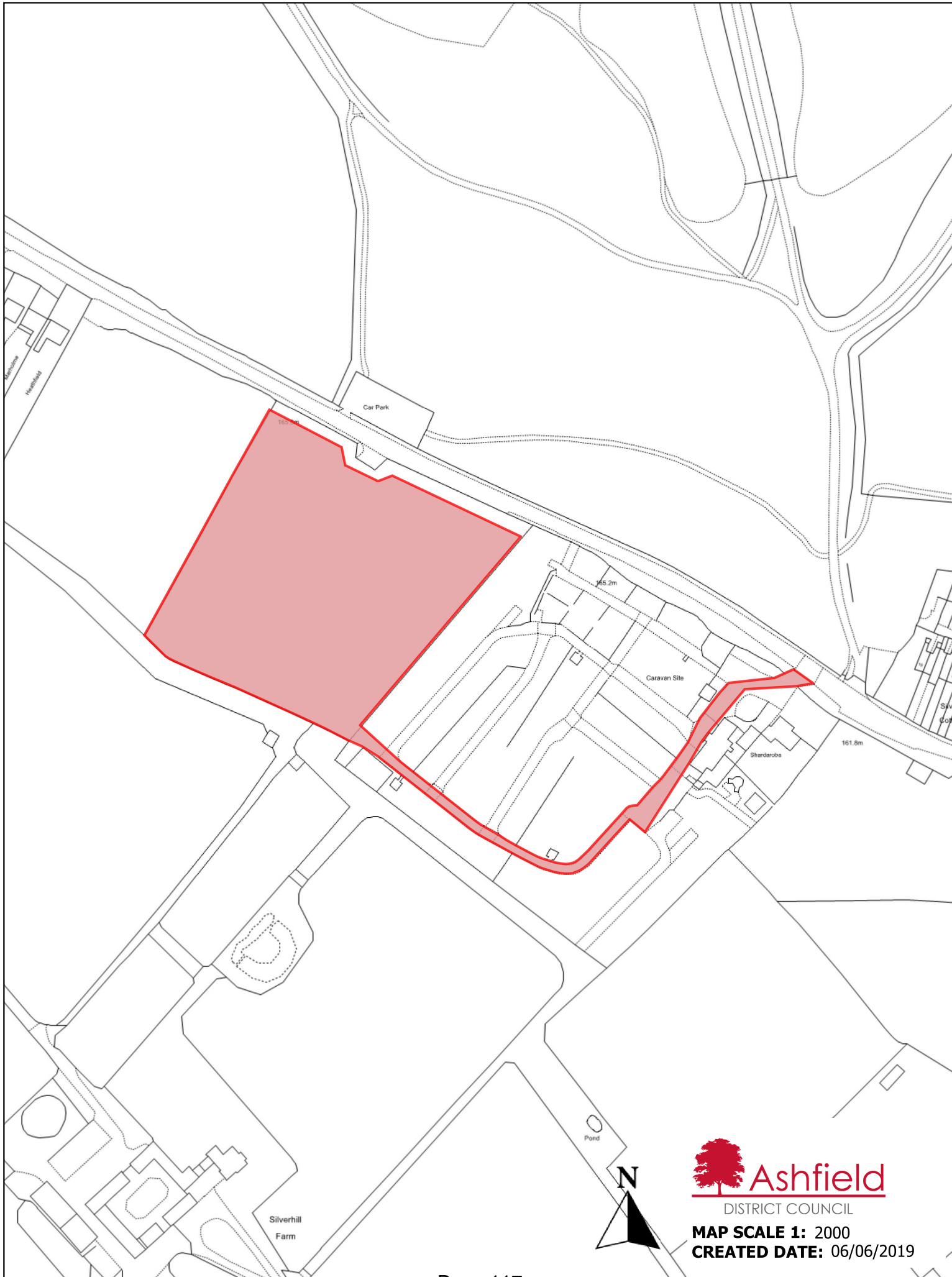
On completion of remedial works and prior to the occupation/use of the development, the applicant must submit to the LPA:

4. A Validation Report with confirmation that all remedial works have been completed and validated, in accordance with the agreed details. The Validation Report must be submitted for the written approval of the LPA prior to the development being put to its intended use.

15. Prior to the commencement of any works on site, full details of the new roads shall be submitted to and approved in writing by the Local Planning Authority, including longitudinal and cross sectional gradients, street lighting, parking & turning facilities, access widths, gradients, surfacing, visibility splays, drainage & outfall proposals, construction specification, provision of and diversion of utilities services, materials and any proposed structural works. Drawings must indicate key dimensions. All details submitted for approval shall comply with the Nottinghamshire County Council's current Highway Design Guide and shall be implemented in accordance with these details to the satisfaction of the Local Planning Authority.

Reasons

1. To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended.
2. To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended.
3. To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended.
4. In the interests of visual amenity.
5. In the interests of visual amenity.
6. To ensure an adequate lighting strategy is employed that does not affect bats.
7. To protect trees worthy of retention.
8. To protect protected species.
9. In the interest of visual amenity and ensuring the site is maintained.
10. To protect residential amenity.
11. To protect residential amenity.
12. In the interests of sustainability.
13. To ensure the site is adequately drained.
14. To ensure the site is developed free from contamination.
15. In the interests of highways safety.



COMMITTEE DATE 26/06/2019 **WARD** Stanton Hill and Teversal

APP REF V/2019/0102

APPLICANT C & J Woods

PROPOSAL Change of Use from Paddock to Caravan Park

LOCATION The Campsite, Silverhill Lane, Teversal, Sutton in Ashfield,
Nottingham, NG17 3JJ

WEB-LINK <https://www.google.com/maps/@53.1496994,-1.2995897,17z>

BACKGROUND PAPERS A, C, D, E, F, K

App Registered: 26/02/2019 Expiry Date: 01/07/2019

Consideration has been given to the Equalities Act 2010 in processing this application.

This application has been referred to Planning Committee by Cllr. H Smith on the grounds of environmental implications.

The Application

This is an application for the change of use of land from a paddock to a caravan park, forming an extension to the existing established caravan campsite.

Consultations

Site Notices have been posted together with individual letters of notification to surrounding residents.

The following consultation responses have been received:

Resident Comments:

2x Letters of support received from local residents in respect of the following:

- Increase in tourism in the area
- Economic boost to other local businesses
- Will have no detrimental impact on the outlook from nearby properties
- Will not result in an increase in on-street parking
- No increase in towed caravans due to nature of the proposal
- Any increase in traffic will not be notable - Silverhill Lane is used as a thoroughfare from the A38 to junction 29 of the M1
- Campsite is a first class, award winning facility – site is well managed

7x Letters of objection received from local residents in respect of the following:

- Increase in traffic and parking on Silverhill Lane
- Noise disturbance
- Odour disturbance
- Paddock currently serves as an area for dog walkers and families to play
- Environment, character and openness of the area tarnished
- No retail facilities nearby
- Wildlife known to frequent the site
- Impact on views from nearby properties
- No employment opportunities from the expansion

ADC Drainage:

No known drainage issues with the site. Further information required on the proposed sustainable drainage system.

Further details of drainage system provided by applicant. No further comments received or concerns raised.

ADC Environmental Health (Private Sector Enforcement):

The site in its current occupation is well managed and compliant within Environmental Health legislation, and no additional involvement has been necessary from the Private Sector Enforcement Team. The Mobile Caravan Standards should be considered. A variation to their current license will be required in planning permission if granted.

NCC Highways:

Have no objections to the proposal. The site already has an established access with no history of recorded collisions. The additional traffic created by the proposal is unlikely to result in a significant number of trips to/from the site, and will not result in an unacceptable risk to highway safety.

Nottinghamshire Wildlife Trust:

No comments to make on the application.

Environment Agency:

No comments to make on the application.

Natural England:

No comments to make on the application.

Policy

Having regard to Section 38 of the Planning and Compulsory Purchase Act 2004 the main policy considerations are as follows:

National Planning Policy Framework (NPPF) 2019:

- Part 6 – Building a Strong, Competitive Economy
- Part 8 – Promoting Healthy and Safe Communities
- Part 9 – Promoting Sustainable Transport
- Part 12 – Achieving Well Designed Places
- Part 15 – Conserving and Enhancing the Natural Environment

Ashfield Local Plan Review (ALPR) 2002:

- ST1 – Development
- ST4 – Remainder of the District
- EV2 – Countryside
- EV8 – Trees and Woodland

Teversal, Stanton Hill and Skegby Neighbourhood Plan 2016

- NP1 – Sustainable Development
- NP4 – Protecting Landscape Character
- NP6 – Improving Access to the Countryside

Relevant Planning History

V/2014/0525 – Replacement reception and site shop (A1) building – Conditional Consent 08/12/14

V/2013/0627 – Wood cabin to be used as a holiday let – Conditional Consent 17/01/14

V/2007/0943 – Part demolition, refurbishment and extension to provide amenity facilities – Conditional Consent 20/12/07

V/2003/0987 – Construct two chemical disposal points to replace existing; increase number of workers caravans; provide area for holiday homes (static caravans); remove limit on number of caravans allocated for winter seasonal use; construct new toilet block; construct new reception, office sales shop – Conditional Consent 27/11/03

V/2001/0834 – Children’s play area and log cabin reception/shop – Conditional Consent 17/01/02

V/2001/0645 – Extend area for caravans to be sited; extend summer season for touring caravans; allow winter season for touring caravans within extended Area 1; allow siting of warden and assistant warden caravans; change of use of conservatory to office/reception/shop – Conditional Consent 25/10/01

V/1998/0270 – Caravan site for touring caravans, motor homes and tents – Conditional Consent 02/07/98

Comment :

The application seeks consent to change the use of a parcel of land sited directly adjacent to the west of the site from a paddock to a caravan park, to result in an extension to the existing caravan park, known as The Campsite, Silverhill Lane, Teversal.

The existing caravan park comprises of a mix of touring and static caravans, plus a tent pitch area. The park is equipped with a warden's caravan, amenity buildings, a reception and campsite shop, in addition to a children's play area. The caravan park is served by a vehicular access from Silverhill Lane.

The extension to the caravan park proposes the erection of 31 static caravans, a small electricity kiosk, and associated landscaping. The proposed site extension will be accessed through the existing caravan park utilising the existing vehicular access.

All 31 of the static caravans will be sold to perspective buyers as second homes. The static homes would not be used as a main residence.

The main issues to consider in this application are the principle of development, and the impacts of the development on the character and appearance of the area, economic development, ecology, residential amenity and highway safety.

Principle of Development:

The application site is located within an area designated as countryside as outlined within policy ST4 of the ALPR 2002. Under the provision of policy ST4, permission will only be granted for development appropriate to the countryside, as outlined in policy EV2 of the ALPR 2002.

Policy EV2 of the ALPR 2002 restricts development in the countryside to defined appropriate forms of development, which amongst other matters, includes the provision of development for outdoor sport, outdoor recreational and tourism uses, provided that they are designed and located in a way which complements and does not adversely affect the character of the countryside.

Part 6 – Building a Strong Complete Economy of the NPPF 2019 seeks to create the conditions in which businesses can invest, expand and adapt, with reference also made to supporting a prosperous rural economy. In particular, paragraph 83 of the Framework states that planning decisions should enable sustainable rural tourism and leisure developments, which respect the character of the countryside.

Having regard to policy EV2 of the ALPR 2002, and paragraph 83 of the NPPF 2019, it is considered that the proposal is acceptable in principle.

Character and Appearance:

Concerns have been raised by local residents that the proposed extension to the caravan park will result in a detrimental impact upon the appearance, character and openness of the countryside.

The area surrounding the application site is undulating in nature, with the land levels rising to the north of the site, towards Silverhill Colliery, and to the South. The boundary treatment presently surrounding the application site is extensive, with mature tree planting to the eastern and southern boundaries, in addition to substantial hedge and shrub planting along the northern and western boundaries. The northern boundary also exhibits a 1m high mound adjacent to the public highway.

The static caravans proposed to be installed on the site will be approximately 4m in height, and will be laid out in an informal manner. To complement the existing boundary treatments, an extensive landscaping scheme is also proposed, which includes significant evergreen and deciduous tree and hedge planting along the northern and western boundaries of the site, where planting is presently less dense. In addition to this, a 1.8m high rush fence is proposed to be erected along the northern and western boundaries to reduce views of the site in the interim, whilst planting becomes established.

The site can be viewed from various public vantage points within the locality, and whilst some views of the site are possible, particularly from the trails at Silverhill Colliery, it is considered that following the establishment of the planting scheme, views of the caravan park from public vantage points will be limited.

A similar planting scheme has been established around the perimeter of the existing caravan park, which significantly reduces any views of the park from public vantage points, and reduces any visual intrusion on the countryside that may exist as a result of the use.

Policy NP4 of the Teversal, Stanton Hill and Skegby Neighbourhood Plan 2016, seeks to protect the landscape character of the area. The proposal will not have any impact on any of the plans identified green corridors. In addition, the scheme has been designed to mitigate against any impact that the development could have on the landscape character of the area.

The proposal will not give rise to a significant detrimental impact on the character or the setting of the countryside, in accordance with policy EV2 of the ALPR 2002, and NP4 of the Teversal, Stanton Hill and Skegby Neighbourhood Plan 2016.

Economic Development:

The expansion of the caravan park is considered to result in the sustainable growth of an existing rural business, helping to sustain and improve its economic viability, in accordance with paragraph 83 of the NPPF 2019.

Details submitted with the application identify that the site presently employs nine members of staff.

Static caravans typically require low levels of maintenance. As such, whilst the proposed development may only generate an additional one or two jobs within the local community, the development will ensure that the existing nine jobs are retained and safeguarded.

In addition to this, the increase in visitors to the area generated by the proposal is likely to lead to an economic boost to surrounding local businesses, as visitors utilise and spend money on local services and facilities, within the village of Fackley, and slight further afield in Stanton Hill and Sutton in Ashfield.

Ecology:

Due to the nature of the site, an Ecological Appraisal has been submitted as part of the application.

Concerns have been raised by local residents in respect of the impact on wildlife which is known to frequent the site.

Of particular concern to residents is the impact that the development would have on a nearby badger sett, located outside of the application site.

The Ecological Appraisal acknowledges that wildlife is present within the vicinity of the site, with the southern site boundary being an important feature.

Taking the constraints into account, the scheme has been designed to ensure areas of the site remain undisturbed by the development both during construction and when in use. Furthermore the vegetation along the southern boundary of the site will remain in situ as part of the proposal.

The Ecological Appraisal outlines a series of recommendations to prevent the loss of ecology on the site and planning permission should include a condition requiring all the recommendations outlined in the Ecological Appraisal to be implemented.

Based on the information provided as part of the application, Natural England and Nottinghamshire Wildlife Trust have stated that they have no comments to make on the application.

Residential Amenity:

Concerns have been raised by local residents in respect of the impacts that the proposal will have on their amenity by increased noise and odour arising from the development. The increase in comings and goings to the site has also been raised as a concern.

The nearest residential property is located approximately 100m to the west of the application site.

Typically, the only odour arising from a caravan park use would be the smell of BBQs in the summer months. Due to the proximity of the nearest residential property to the application site, it is reasonable to assume that most odours will have significantly dissipated by the time they reach any nearby residential dwellings

Furthermore, the inclusion of the extensive planting along the sites western boundary will substantially help to lessen impact on the residential properties to the west.

As such it is considered that the proposal will result in a limited impact on the amenity of nearby residents by way of disturbance from noise and odour.

Due to the nature of the caravan park in that the proposed static caravans will be sold off to perspective buyers as second homes, it is considered that the increased levels of comings and goings above what is presently experienced will be limited, as this type of operation will prevent the regular turnover of visitors associated with traditional caravan lettings.

Highway Safety:

Local residents have raised concerns in respect of increased traffic and parking along Silverhill Lane as a result of the proposal.

The Highways Authority have stated that they have no objections to the proposed development, as the development is unlikely to result in a significant number of trips to and from the site. The proposal as such is considered to not result in an unacceptable risk to highway safety.

In regards to parking, each of the static caravans will benefit from one parking space, with an additional five parking spaces spread across the site for any additional ad hoc parking. With all the proposed static caravans comprising of two bedrooms, it is reasonable to assume that any individuals/families occupying the caravans will arrive at the site in one car, reducing the likelihood of any on-street parking along Silverhill Lane arising from the development.

Conclusion :

The proposed development will allow the sustainable growth of an existing rural business, helping to sustain and improve its economic viability. Additional visitors

generated by the proposal will also likely result in a small economic boost to the local area, created by further spending as visitors utilise local services and facilities.

The site is not subject to any environmental constraints. The site benefits from existing mature boundary planting and significant additional planting is proposed, to reduce any visual intrusion the development may have on the surrounding landscape. As such, the proposal will not result in any significant impact on the character or appearance of the countryside in this location.

It is considered that due to the nature and design of the development, the proposal will have a limited impact upon ecology, the amenity of nearby residents or on highway safety.

Overall therefore, it is considered that the proposal accords with policies contained at both a local and national level, and as such, the application is recommended for approval, subject to the following conditions:

Recommendation: Grant Conditional Consent

CONDITIONS

- 1. The development hereby approved shall be begun before the expiration of 3 years from the date of this permission.**
- 2. No more than 31 mobile homes shall be sited at any one time on the land hereby permitted.**
- 3. The mobile homes hereby permitted shall not be occupied for a period greater than 10 months in any 12 month time period.**
- 4. This permission shall be read in accordance with the following plans:**
 - Site Location Plan, Drawing No. 001, Received 15/02/19;**
 - Site Plan As Proposed, Drawing No. 101 Rev A, Received 15/04/19;**
 - Proposed Electricity Kiosk, Drawing No. 104, Received 15/02/19;**
 - Surface Water Drainage Plan, Drawing No. 105, Received 05/04/19.**

The development shall thereafter be undertaken in accordance with these plans unless otherwise agreed in writing by the Local Planning Authority.

- 5. The hereby approved development shall be undertaken in accordance with the submitted Ecology Appraisal (received 15/02/19), and all mitigation recommendations complied with.**

6. The use hereby permitted shall not commence until there has been submitted to and approved by the Local Planning Authority a landscaping scheme for the site, including the location, size, type and number of species of trees and shrubs to be planted. All planting, seeding or turfing indicated on the approved landscaping scheme shall be carried out in the first planting and seeding seasons following the commencement of the use; and any trees or plants which within a period of five years from the commencement of the use die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

REASONS

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.
2. To clarify the extent of this permission and to ensure the satisfactory appearance of the development.
3. To ensure the accommodation is for holiday purposes only and not used for permanent residential occupation.
4. To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application.
5. In the interest of protecting ecology.
6. In the interests of protecting and enhancing the visual amenities of the site and area.

INFORMATIVE

1. The applicant/developer is strongly advised to ensure compliance with all planning conditions, if any, attached to the decision. Failure to do so could result in LEGAL action being taken by the Ashfield District Council at an appropriate time, to ensure full compliance. If you require any guidance or clarification with regard to the terms of any planning conditions then do not hesitate to contact the Development & Building Control Section of the Authority on Mansfield (01623 450000).

- 2. Landowners, individual property owners and users are responsible for managing the drainage of their own land. The applicant must satisfy themselves that drainage is managed in such a way as to prevent adverse impacts of neighbouring land. The council take no responsibility for incorrect information or interpretations made by the applicant or their representatives. The responsibility for the checking of the design, calculations and details remain with the developer, or agent acting on their behalf.**

- 3. The site operator is strongly advised to contact the Council's Private Sector Enforcement Team at privatesectorenforcement@ashfield.gov.uk or on 01623 457345 to apply for any necessary variations to their existing caravan license.**

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Ashfield
DISTRICT COUNCIL
MAP SCALE 1: 1250
CREATED DATE: 14/06/2019

COMMITTEE DATE 26/06/2019 **WARD** Underwood

APP REF V/2019/0068

APPLICANT G Hodgman

PROPOSAL Dwelling

LOCATION Land Adjacent, 15, Recreation Street, Selston, Nottingham,
NG16 6AG

WEB-LINK <https://www.google.com/maps/@53.0692116,-1.2923386,18z>

BACKGROUND PAPERS A, B, D, K

App Registered: 08/02/2019 Expiry Date: 01/07/2019

Consideration has been given to the Equalities Act 2010 in processing this application.

This application has been referred to Planning Committee by Cllr. J Zadrozny on the grounds of highway implications.

The Application

This is an application for a four bedroom dwelling on land located off Recreation Street, Selston. The dwelling is proposed to be two-storeys in height. The proposal will benefit from off-street parking and private amenity space to the rear.

Consultations

Site Notices have been posted together with individual notification of surrounding residents.

The following consultation responses have been received:

Ashfield District Council Planning Policy:

The principle of the proposed development is considered acceptable due to its location within the named settlement of Selston. Regard should be given to policies at both a local and national level.

Ashfield District Council Drainage:

No known drainage issues with the site.

Nottinghamshire County Council Highways:

Whilst it is acknowledged that the access off Annesley Lane is substandard in nature and concerns are raised in respect of its intensification, the vehicular movements generated from one dwelling are unlikely to be severe, and therefore an objection on highways grounds could not be sustained.

Policy

Having regard to Section 38 of the Planning and Compulsory Purchase Act 2004 the main policy considerations are as follows:

National Planning Policy Framework (NPPF) 2019:

Part 5 – Delivering a Sufficient Supply of Homes
Part 9 – Promoting Sustainable Transport
Part 11 – Making Effective Use of Land
Part 12 – Achieving Well Designed Places

Ashfield Local Plan Review (ALPR) 2002:

ST1 – Development
ST3 – Named Settlements
HG5 – New Residential Development

JUS-t Neighbourhood Plan 2017:

NP1 – Sustainable Development
NP2 – Design Principles

SPD Residential Design Guide
SPD Residential Car Parking Standards

Relevant Planning History

V/2018/0162

Details: Two Dwellings
Decision: Refusal

V/2016/0412

Details: Outline Application for One Dwelling
Decision: Outline Conditional Consent

V/2013/0288

Details: Outline Application for One Dwelling
Decision: Outline Conditional Consent

V/2010/0283

Details: Outline Application for One Dwelling
Decision: Outline Conditional Consent

Comment :

This application seeks consent for the erection of a detached, two-storey dwelling comprising of a kitchen-diner and living room at ground floor level, and four bedrooms and two bathrooms at first floor level. Associated off-street parking and private amenity space is also proposed to be provided.

The proposed dwelling will be accessed from Recreation Street, which is an unadopted highway, taken from Annesley Lane. The access drive presently serves 13 dwellings, in addition to Selston Working Mens Club.

The application site comprises of a parcel of vacant, overgrown land, which is bounded to the north and south by existing development. Directly adjacent to the north of the application site is existing residential development, whilst to the south is the working mens club. Directly opposite the application site is Nottingham Road Recreation Ground, and to the rear is open countryside.

The main issues to consider are the principle of development, visual amenity, residential amenity and highway safety.

Principle of Development:

The application site is located within the named settlement of Selston, where the principle of limited development is considered acceptable, as set out within policy ST3 of the ALPR 2002.

Paragraph 11 of the NPPF 2019 sets out the presumption in favour of sustainable development, and that planning permission should be granted for development unless any adverse impacts of doing so, would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole or where specific policies in the NPPF indicate that development should be restricted.

Subject to all other material planning considerations being satisfied, the principle of the proposed dwelling is considered acceptable.

It should also be noted that the principle of development for one dwelling on this site has been established, with planning permission being granted in 2010, 2013 and 2016. There are no material factors which have changed which would indicate the the principle is not acceptable.

Visual Amenity:

The proposed new dwelling will be visible from the surrounding public domain.

The application site measures approximately 30m in depth, and 10m in width. The plot size for the proposed dwelling is considered to be in keeping with the other plot sizes found within the vicinity of the application site along Recreation Street. The

proposed dwelling is also to be sited in line with the existing built development to the south of the site. In this respect, the dwelling will not impact on the prevailing pattern of development.

Residential properties found within the immediate vicinity of the application site are typically two storey in height, and draw upon a range of architectural designs and features.

The dwelling is proposed to be constructed in red brick and grey tiles. In addition to this, characteristic features found on neighbouring properties are also proposed to be incorporated into the design of the dwelling, including casement style windows, stone cills, brick headers, corbelling and rise and fall guttering brackets.

Properties within the immediate vicinity of the site have been constructed using comparable materials, and are similar in character and design to that proposed. It is therefore considered that the design of the development will not have a significant impact on the character and appearance of the surrounding locality.

Residential Amenity:

No written objections have been received from local residents in respect of the proposed development.

Slight ground level changes are apparent along Recreation Street, with the land rising to the south. As such, the proposed finished floor level of the proposed dwelling will be approximately 0.5m higher than that of neighbouring property 15 Recreation Street. The proposed dwelling will however be sited approximately 5m from this property.

When taking into consideration both the ground level changes and siting of the proposed dwelling in relation to 15 Recreation Street, it is considered that there will be a limited overbearing or overshadowing impact arising from the proposal on the neighbouring residents.

Whilst windows are proposed to be sited on the side elevations of the proposed dwelling, these windows are considered to be secondary windows, serving toilets/bathrooms, utility space and a landing. Whilst one of the side windows will serve the ground floor kitchen/diner, any overlooking impact on 15 Recreation Street created by this window is considered to be minimal due to the existence of a 2m high timber fence along no. 15's southern boundary. All minimum separation distances stipulated in the Council's Residential Design Guide are complied with.

It is therefore considered that there are no significant overlooking impacts arising from the development on neighbouring residents, to the detriment of their amenity.

It is considered that the internal space provided within the dwelling will provide an adequate standard of amenity for any future occupiers.

Approximately 150sqm of private outdoor amenity space will be provided to the rear of the property, which exceeds the Council's requirement of 90sqm for a four bedroom property.

Highways:

Due consideration has to be given to Part 9 – Promoting Sustainable Transport of the NPPF 2019 in the determination of this application.

Concerns have been expressed by the Highways Authority in respect of the substandard nature of Recreation Street's access onto Annesley Lane, which is a busy classified road and bus route.

The current NPPF covers both major and minor developments and simply states that development should only be refused on highway grounds where there would be an unacceptable impact on road safety, or the residual cumulative impacts would be severe. By the omission of reference to major development, all development, both minor and major, should be considered under this provision.

It is recognised that there is a public house/club located on Recreation Street, adjacent to the application site. There are no restrictions limiting the number of vehicle movements along Recreation Street in association with this use.

In light of the above, the Highways Authority have confirmed that whilst it is acknowledged that the increased use of this access driveway has the potential to increase the risk of vehicular conflict in this location, it is considered that the additional vehicular movements associated with one additional dwelling along Recreation Street would not represent a severe cumulative impact on the adjacent highway network, nor would it lead to an unacceptable impact on highway safety.

As such, the refusal of the application on highway grounds could not be substantiated.

Whilst the layout plan provided with the application only demonstrates the provision of two off-street parking spaces, it is considered that there is sufficient space with the application site to appropriately accommodate three off-street parking spaces, in line with the parking requirements stipulated in the Council's Residential Car Parking Standards SPD 2014 for a four bedroom property. A condition requiring details of the parking arrangement to be submitted would be attached to any approval.

Conclusion:

In conclusion, this application does not raise any concerns with regards to the impact upon the visual amenity of the locality or upon the residential amenity of existing and future occupiers.

Furthermore, the Highways Authority have confirmed that in consideration of the proposed single dwelling and the existing use of the street, any impact on highway safety or the transport network is unlikely to be severe, and as such, an objection on highway grounds could not be sustained.

On balance, it is therefore recommended that consent be granted for this application, subject to the following conditions:

Recommendation: Full Conditional Consent

CONDITIONS

- 1. The development hereby approved shall be begun before the expiration of 3 years from the date of this permission.**
- 2. The materials and finishes to be used for the external elevations and roof of the proposal shall match those detailed in the submitted application form.**
- 3. This permission shall be read in accordance with the following plans: Proposed Site Layout Plan, Elevations & Floor Plans, Received 13/02/19. The development shall thereafter be undertaken in accordance with these plans unless otherwise agreed in writing by the Local Planning Authority.**
- 4. No development shall take place above slab level 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.**
- 5. No development shall take place above slab level until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping. All planting, seeding or turfing indicated on the approved landscaping scheme shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.**

6. No development shall take place above slab level until the following matters have been submitted to and agreed in writing by the Local Planning Authority:

(a) Full details of the proposed treatment of the site's boundaries.

(b) A phasing scheme for the implementation of the agreed boundary treatment.

The boundary treatment shall be undertaken in accordance with the agreed details.

7. No part of the development hereby permitted shall be brought into use until a parking area to provide 3 off-street parking spaces is constructed within the application site in accordance with details first submitted to and approved in writing by the Local Planning Authority. The parking shall be retained for the life of the development.

REASONS

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.

2. To ensure the satisfactory appearance of the development.

3. To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application.

4. To ensure that the development provides a satisfactory means of drainage, in order to reduce the risk of creating; or exacerbating a flooding problem, and to minimise the risk of pollution.

5. To ensure the satisfactory overall appearance of the completed development and to help assimilate the new development into its surroundings.

6. To ensure both the satisfactory appearance of the completed development and an adequate level of amenity for the dwellings in question.

7. To ensure adequate off-street parking provision is provided.

INFORMATIVE

- 1. The applicant/developer is strongly advised to ensure compliance with all planning conditions, if any, attached to the decision. Failure to do so could result in LEGAL action being taken by the Ashfield District Council at an appropriate time, to ensure full compliance. If you require any guidance or clarification with regard to the terms of any planning conditions then do not hesitate to contact the Development & Building Control Section of the Authority on Mansfield (01623 450000).**

- 2. Landowners, individual property owners and users are responsible for managing the drainage of their own land. The applicant must satisfy themselves that drainage is managed in such a way as to prevent adverse impacts of neighbouring land. The council take no responsibility for incorrect information or interpretations made by the applicant or their representatives. The responsibility for the checking of the design, calculations and details remain with the developer, or agent acting on their behalf.**

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Report To:	Planning Committee	Date:	26 June 2019
Heading:	PLANNING APPEAL DECISIONS		
Portfolio Holder:	PLACE, PLANNING AND REGENERATION		
Ward/s:	HUCKNALL CENTRAL, HUCKNALL WEST, KIRKBY CROSS & PORTLAND, SELSTON, SKEGBY, STANTON HILL & TEVERSAL, SUTTON JUNCTION AND HARLOW WOOD, UNDERWOOD		
Key Decision:	No		
Subject to Call-In:	No		

Purpose of Report

To inform Members of recent Planning Appeal Decisions.

Recommendation(s)

To Note the Appeal Decisions.

Reasons for Recommendation(s)

To bring to Members attention the recent Appeal Decisions.

Alternative Options Considered

(with reasons why not adopted)

N/A

Appeal Decisions

HUCKNALL CENTRAL

Planning Application - V/2016/0626

Site – Land adjacent to Tesco Filling Station, Station Road, Hucknall NG15 7UD

Proposal – Demolition of existing building, erection of a freestanding single storey restaurant with associated drive thru, car parking and landscaping and associated works. Installation of 1 No. external play area, 2 No. customer order displays and associated canopies.

Appeal Decision – Allowed.

The Inspector considered the proposal would not adversely impact on the character of the area or on the living conditions of neighbouring residents, with particular regard to noise, anti-social behaviour, odour and litter.

In respect of noise it was concluded that the surrounding residential properties are screened from any increase in activity and the noise assessments concluded there would be no observable effect on noise levels in the area. Anti-social behaviour associated with car cruising was acknowledged but is mitigated with the introduction of barriers to the Tesco car park when the store is closed and with the introduction of CCTV cameras. No substantive evidence has been provided to show that cooking odours would not be able to be kept to an acceptable level through ventilation and extraction equipment. The appellant has also identified that litter bins would be placed on the site and that staff would carry out litter patrols and this is conditioned.

HUCKNALL WEST,

Advertisement Consent Application - V/2018/0419

Site – Land north east of junction of Watnall Road and Daniels Way, Hucknall, NG15 6EP

Proposal – 1 totem sign.

Appeal Decision – Dismissed.

The Inspector considered that the proposed totem sign would be a prominent, incongruous and isolated feature that causes harm to the visual amenity of the area.

KIRKBY CROSS & PORTLAND

Planning Application - V/2017/0588

Site – 1 Lower Portland Cottage, Kirkby in Ashfield, NG17 9LD

Proposal – Barn conversion to form a two-storey residential dwelling.

Appeal Decision – Dismissed.

Application for Costs – Refused.

The Inspector considered that significant and substantial alterations were required to the building, and as such the proposal was tantamount to a new build in the Green Belt. It was also considered that the proposal resulted in a significant impact on the openness of the Green Belt, and the appearance of the Countryside.

The application for an award of costs was refused by the Inspector on the grounds that the Council had not acted unreasonably when coming to a decision and the appellant had not been subjected to any unnecessary or wasted expense.

SELSTON

Planning Application - V/2017/0242

Site – 7 Chapel Road, Selston, NG16 6BW

Proposal – Application for outline planning permission with some matters reserved for a maximum of 3 dwellings.

Appeal Decision – Dismissed.

The Inspector concurred with the Council that access to the site would have insufficient visibility in both directions. Accordingly, any increase in vehicle movements would lead to a greater risk of vehicles existing the site and coming into conflict with other vehicles, cyclists and pedestrians. The proposal would therefore lead to a harmful increase in risk to highway safety.

Planning Application - V/2018/0312

Site – Railway Inn, Station Road, Selston, NG16 6FH

Proposal – Retrospective application for secure gated/fenced caravan storage – change of use to Class B8

Appeal Decision – Dismissed.

The Inspector considered that the site occupies a sensitive location at the interface between the main built up area and the countryside. The storage area was considered to result in a solid and conspicuously visible mass from Station Road, resulting in a significant reduction to the openness of the Green Belt, and resulting in harm to the character and appearance of the local area. The Inspector also concluded that the development causes significant harm to the highway safety of users of Station Road.

Planning Application - V/2018/0396

Site – Wren Hall Nursing Home, 234 Nottingham Road, Selston, NG16 6AB

Proposal – Extension to rear of existing care home and change of use of land from residential and equestrian to create additional car parking to the north west of the site in association with the care home and construction of steps from the care home to the parking area.

Appeal Decision – Dismissed.

The Inspector considered that the proposed extension, added together with a previous extension, clearly amounted to a disproportionate addition over and above the size of the original building, constituting inappropriate development within the Green Belt. It was also considered that the extension and change of use of the land to a car park would give rise to a harmful impact on the openness of the Green Belt. The Inspector also found that the proposed car park would cause significant noise and disturbance which would be harmful to the living conditions of neighbouring occupants.

It was concluded that the very special circumstances outlined by the appellant were not considered to outweigh the harm to the Green Belt or any other harm arising from the proposal.

SKEGBY

Planning Application - V/2018/0385

Site – 179 Mansfield Road, Skegby, Sutton in Ashfield, NG17 3DX

Proposal – 4 dwellings

Appeal Decision – Dismissed

The Inspector considered the loss of the area of public open space and replacement with housing would result in serious harm to the character and appearance of the local area. He also considered that its loss would materially harm the living conditions of the occupiers of Manor Croft, and that this would be most acutely felt by families with small gardens. Accordingly, the application was considered to be contrary to the relevant policies contained within the Neighbourhood Plan, Local Plan and NPPF.

Planning Application - V/2016/0755

Site – 2 St Andrews Crescent, Skegby, Sutton in Ashfield, NG17 3AU

Proposal – Fell 3 No. Silver Birch

Appeal Decision – Dismissed

The Inspector considered that the trees make a positive contribution to the street scene and there were no substantive arguments to warrant their removal.

STANTON HILL & TEVERSAL

Planning Application - V/2018/0178

Site – The Willows, Silverhill Lane, Sutton in Ashfield, NG17 3JJ

Proposal – Timber lodge with associated parking and septic tank to be used as tourist accommodation.

Appeal Decision – Dismissed.

The dwelling was considered to have an adverse impact on the character and appearance of the rural area and be in conflict with the Local Plan and Neighbourhood Plan. It was also considered that the access to the site would not be safe and convenient for vehicles, pedestrians and cyclists. Accordingly, the proposal would be harmful to highways safety.

SUTTON JUNCTION AND HARLOW WOOD

Planning Application - V/2018/0239

Site – Greenhills House, Cauldwell Road, Sutton in Ashfield, NG17 5LB

Proposal – Erection of two-storey side and front extensions including balcony and single storey rear extensions.

Appeal Decision – Dismissed.

The Inspector considered the proposal would not represent visually attractive development or good architecture sympathetic to local character. It also amounted to disproportionate extensions which would adversely affect the character and quality of the area and is therefore contrary to planning policies and guidance.

UNDERWOOD

Planning Application - V/2018/0633

Site – 132 Main Road, Underwood, NG16 5GN

Proposal – Outline application for one dwelling and associated access.

Appeal Decision – Allowed.

The Inspector disagreed with the Council and considered that the proposal represented limited infilling within the village of Underwood. The proposal was therefore considered to be in accordance with the NPPF and Neighbourhood Plan Policies NP1 and NP2. The Inspector considered there would be conflict with the Local Plan Policy EV1, however this was outweighed as the scheme was considered to be in accordance with the NPPF.

Implications

Corporate Plan:

Reporting these decisions ensures we are open and transparent in our decision making process.

Legal:

Legal issues relating to specific planning appeals are set out in the report. As the report is for noting, there are no legal issues associated with the recommendation in the report.

Finance:

Budget Area	Implication
General Fund – Revenue Budget	None
General Fund – Capital Programme	None
Housing Revenue Account – Revenue Budget	None
Housing Revenue Account – Capital Programme	None

Risk: N/A

Risk	Mitigation

Human Resources:

No implications

Equalities:

(to be completed by the author)

None

Other Implications:

(if applicable)

None

Reason(s) for Urgency

(if applicable)

N/A

Reason(s) for Exemption

(if applicable)

N/A

Background Papers

(if applicable)

None

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Carol Cooper-Smith

INTERIM DIRECTOR – PLACE AND COMMUNITIES

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