



COMMITTEE DATE 13/05/2020 **WARD** Hucknall South

APP REF V/2020/0114

APPLICANT Bellway Homes (East Midlands)

PROPOSAL Erection of a Temporary Construction Site Compound (for a period of 8 Years), Car Parking and Associated Works associated with Planning Permission V/2019/0483

LOCATION Land to the South of, Broomhill Farm, Nottingham Road, Hucknall, Nottingham, NG15 7QE

BACKGROUND PAPERS A, C, E, F

App Registered 19/02/2020 Expiry Date 14/04/2020

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

This application has been referred to Planning Committee by Cllr Lauren Mitchell because of the impacts on surrounding residential properties.

The Application

This is an application for Erection of a Temporary Construction Site Compound (for a period of 8 Years), Car Parking and Associated Works associated with Planning Permission V/2019/0483

Consultations

Site Notices have been posted together with individual notification of surrounding residents. The following responses have been received:

5 comments have been received from residents raising the following concerns

- V/2019/0483 has not been approved yet, this application should be contingent on that applications decision.
- Impact on air quality.
- The compound will increase litter, waste, as well as noise disturbances to nearby residents.
- It will decrease house prices
- Loss of biodiversity.
- Mud deposited on surrounding roads has been a consistent problem, this will increase it.

- Could increase security and antisocial behavior issues; the access to the field should be secure.
- Issues relating to the broader appropriateness of developing phase 2.

ADC Landscaping

The works are temporary, no comments to make.

ADC Environmental Health

No objection, but would request conditions relating to operating hours, dust and wheel washing facilities to be in operation at the compound.

Policy

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

Ashfield Local Plan Review 2002

ST1 – Development

ST4 – Remainder of the District

EV1 – Green Belt

National Planning Policy Framework 2019

5 – Delivering a sufficient supply of homes

13 – Protecting Green Belt land

Relevant Planning History

V/2019/0483

Residential development of 206 dwellings and associated infrastructure and works...
Awaiting determination.

Comment :

The site and the application

The application site is located in the Nottinghamshire Green Belt on the edge of Hucknall. The site is located outside of the site boundary of V/2019/0493, to the south west.

The applicant seeks consent for the erection and use of a temporary construction site compound and the associated infrastructure and vehicle parking to aid with the delivery of planning application V/2019/0493. The compound includes a number of storage buildings/spaces, facilities for workers, fencing and vehicle parking spaces.

Principle of the development

The application site is located in the Green Belt where inappropriate development is, by definition, harmful to the Green Belt and, as stated in paragraph 143 of the NPPF, should not be approved unless in very special circumstances . The applicant accepts

that the proposed development cannot be justified as an exception to Green Belt policy and that special circumstances are required. The applicant has presented three main points in their case for special circumstances.

1. The site compound and vehicle parking is a temporary use and development for 8 years. Following completion of development of the associated planning application the land will be reinstated to its former use and made good.
2. The site compound is required to facilitate residential development on an allocated site, which will provide needed housing in Ashfield, in accordance with the NPPF which seeks to boost the supply of housing.
3. There are no preferable alternative locations for the compound that are not also within the Green Belt. The compound must be located outside of the main site to avoid compromising the delivery of the development and ensure construction is efficient and effective.

The use of green belt land for the erection and use of a construction compound does represent harm the Green Belt and special circumstances are required. However, the temporary nature of the proposed development, with the land to be returned to its previous use and state after, and its contribution to effectively delivering housing in the local area do hold weight. On balance, it is considered that the application does demonstrate special circumstances and does represent an appropriate form of development when the NPPF is taken as a whole.

Residential amenity

Some concern has been raised by residents over the impact that the construction compound and the wider development in the area will have on their amenity. Firstly, this application can only be assessed on its own content and merits. The housing development is being considered under planning application V/2019/0483.

The application site is located towards the south west corner of the broader development site and as such is located furthest away from the surrounding residential properties. It is approximately 230m from the compound to the nearest boundary of a property on Nottingham Road and 280m to the nearest property on Phase 1 of the development on Victoria Way. This distance is considered to be sufficient to avoid any significant disturbances or negative impacts (including noise and air pollution) from the construction compound that cannot be suitably managed by appropriate conditions.

Other matters

Due to the relatively remote setting of the compound, and its proposed scale, it is considered that it will not have a significant detrimental impact on the appearance of the area and will largely not be visible from public highways. Once the temporary permission has expired the land will be returned to its former use and made good to avoid any permanent impact on the landscape character and visual amenity of the area.

It is considered that the compound will not have a detrimental impact on biodiversity due to its scale, wider biodiversity impacts of V/2019/0483 are addressed in that application.

The compound will be accessed through the V/2019/0483 site and from Jackson Road off Nottingham Road. No concerns have been raised by the Highways Authority, and although the development will clearly facilitate HGV and works vehicles in the area no significant risk to highway safety is considered to result. A construction management plan will ensure that there is a strategy in place to reduce the likelihood of mud being deposited on surrounding highways.

Conclusion:

The proposed construction compound is proposed to be a temporary development to facilitate the effective and efficient delivery of new houses and as such is considered to have special circumstances for development located within the Green Belt. Through the location of the compound, its scale and through the management of working practices at the compound it is also considered that the proposed development will not result in an unacceptable harm to the amenity of nearby residential properties. Therefore, it is recommended that this application is granted conditional consent.

Recommendation: 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: Site Plan, Block Plan, Site Layout Plan, Elevations, Floor Plans, Fencing, Material and Utilities Plans; all received on 19/02/2020. The development shall thereafter be undertaken in accordance with these plans unless otherwise agreed in writing by the Local Planning Authority.
3. This permission is valid for a limited period only, expiring on the date 8 years after the date of this decision. On or before that date the use and associated structures hereby permitted shall cease and be removed and the site shall be reinstated to its former condition unless a further planning application with regard to the use/development has been submitted to and approved by the Local Planning Authority.
4. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage, which gives particular consideration to pollution run-off and contamination, 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. Prior to the commencement of development, a Construction Environment Management Plan shall be submitted to and approved in writing by the Local Planning Authority, this should include:
 - Proposed hours and days of working, including deliveries;
 - Management of parking by persons involved in the construction of the development, including operatives & visitors;
 - The routing of deliveries and construction vehicles to site and any temporary access points.
 - Details of protection measures for the adjacent Local Wildlife Site.
 - 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;
 - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - 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.

6. No site clearance, preparatory work or development shall take place until a detailed Landscape and Ecological Management Plan (LEMP) has been submitted to and approved, in writing, by the Local Planning Authority. This shall be based on the recommendations set out within the Ecological Appraisal Rev B, by FPCR dated March 2020 and include full details of all the landscape and ecological management objectives, operations and maintenance prescriptions, together with their timings. It shall also include an ecologically sensitive lighting strategy. The LEMP shall be carried out as approved, and the site maintained thereafter in accordance with it.
7. Notwithstanding the submitted details, no site clearance, preparatory work or development shall take place until information detailing the protection of retained trees and hedgerows has been submitted to and approved 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 that the development takes the form envisaged by the Local Planning Authority when determining the application.
3. This permission is granted because of the special circumstances outlined in the application. In such circumstances a permanent planning permission would be inappropriate.
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 secure the ecological enhancement and mitigation measures.
6. In the interests of protecting retained trees and hedgerows.
7. To minimise disruption during construction.

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).