

Report of the Chief Executive

**17/000866/FUL
CONSTRUCT 39 BEDROOM HOTEL (CLASS C1) WITH ASSOCIATED
CAR PARKING AND ANCILLARY DEVELOPMENT
LAND TO THE NORTH OF OLD MOOR LODGE, MORNINGTON
CRESCENT, NUTHALL, NG16 1QE**

Councillor P Owen has requested this application be determined by Planning Committee.

1 Details of the Application

1.1 The application seeks planning permission for the erection of a 39 Bedroom hotel (Class C1) on land situated to the north of the existing Old Moor Lodge public house and restaurant and associated car park. The building will measure 41m in length (south – north) and 15m wide (west – east), with an overall height of 10.3m. Alterations are also proposed to the existing car parking area to accommodate additional spaces and the provision of hard and soft landscaping.

1.2 In addition to the proposed plans, the following information has been submitted in support of the application:

- Ground Investigation Report
- Noise Assessment Report
- Transport Statement
- Construction and Traffic Management Plan
- Transport Technical Note
- Planning, Design and Access Statement
- Planning Statement
- Preliminary Ecology Appraisal

1.3 Planning permission was previously granted for the construction of a 44 bedroom hotel (Class C1) and associated car parking and landscaping under reference number 08/00162/FUL in 2008. Due to works not having been started on site to implement this planning permission, permission was granted to extend the time limit for implementation of planning permission under reference number 11/00140/FUL for a further 3 years. No development works have started on site and these permissions have now lapsed.

2 Site and surroundings

2.1 The application site is located to the north of the car park serving the Old Moor Lodge and is currently part overgrown with vegetation.

2.2 The Old Moor Lodge is predominantly single storey in nature, with a two storey section to the centre.

- 2.3 The site is surrounded by residential properties directly to the south on Mornington Crescent. There are commercial properties to the east sited on Upminster Drive, with residential properties sited directly to the rear.

- 2.3 Directly adjacent the application site there is an existing single storey medical centre and associated car park. To the rear of the medical centre there are residential properties located on Temple Crescent.



Proposed Development Site – photo taken from within the existing car park.



Existing entrance to the car park accessed via Upminster Drive.



View of the site from Woodhouse Way.

3 Relevant Planning History

- 3.1 Old Moor Lodge has a detailed planning history with most applications relating to the public house and associated car park and therefore these are not considered relevant in the determination of this application. The planning history for the site relevant to this application is detailed below.
- 3.2 08/00162/FUL – in 2008 planning permission was granted for the construction of a hotel (Class C1) and associated car parking and landscaping. The floor layout plans showed that this would have 44 bedrooms.
- 3.3 08/00749/ROC - in 2008 permission was granted for the variation of planning condition No. 9 (finished floor levels) of planning permission 08/00162/FUL to allow the hotel to be constructed at finished floor level 499.00.
- 3.4 08/00891/ADV – in 2008 advertisement consent was granted to display 5 No. fascia and 3 No. stand alone illuminated signs (revised scheme).
- 3.5 11/00140/FUL – permission was granted to extend the time limit for implementation of planning permission 08/00162/FUL to construct a hotel (Class C1) and associated car parking and landscaping.

4 Policy Context

4.1 **National policy**

- 4.1.1 The National Planning Policy Framework (NPPF) March 2012 contains a general presumption in favour of sustainable development whereby planning permission should be granted for proposals that accord with the development plan without delay. Where the development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of permitting the development significantly and demonstrably outweigh the benefits, or specific policies in the framework indicate development should be restricted. It outlines 12 core planning principles which should underpin the planning system

including that planning should be plan-led, high quality design and a good standard of amenity for existing and future occupants should be secured and developments should be located in sustainable locations.

- 4.1.2 Paragraph 14 deals with the “presumption in favour of sustainable development”. Where the development plan is silent or policies out of date, permission should be granted unless “any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.
- 4.1.3 In relation to assessing the highway impacts of a proposal, paragraph 32 states that development should only be refused on transport grounds where the residual cumulative impacts are severe.
- 4.1.4 Section 7 deals specifically with design and advises that good design is a key aspect of sustainable development, developments should add to the overall quality of the area, a strong sense of place should be established, the potential of the site to accommodate development should be optimised, local facilities and transport networks should be supported and good architecture and appropriate landscaping should be used to create visually attractive development. It confirms that planning authorities should not impose architectural styles or particular tastes and that design policies should not be unnecessarily prescriptive.

4.2 Broxtowe Aligned Core Strategy

- 4.2.1 The Broxtowe Aligned Core Strategy was adopted in September 2014 and forms Part 1 of the Local Plan to replace the 2004 Local Plan.
- 4.2.2 Policy 6 ‘Role of Town and Local Centres’ states that main town centre uses should be located in centres. Development should be appropriate in scale and nature to the role and function of the centre. If no suitable sites are available in centres and then edge of centre locations should be used, an only if there are no suitable sites will out of centre sites be considered.
- 4.2.3 Policy 10 ‘Design and Enhancing Local Identity’ sets design and layout principles to be applied to new development and looks to ensure that valued local characteristics are reinforced.
- 4.2.4 Policy 14 ‘Managing Travel Demand’ states that the need to travel by private car should be reduced by locating developments in the most accessible locations.

4.3 Saved Policies of the Broxtowe Local Plan (2004):

- 4.3.1 The Part 2 Local Plan is currently under preparation. Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved. Relevant saved policies are as follows:
- 4.3.2 Saved Policy H8 – Businesses in Residential Areas states that business activities in residential areas will be permitted where the residential amenity of neighbouring properties is not adversely affected, appropriate provision is made for vehicle parking and highway safety and the residential character of the area.

- 4.3.3 Saved Policy T11 - Guidance for Parking Provision states that planning permission will not be granted for new development unless appropriate provision is made for vehicle parking.
- 4.3.4 Saved Policy RC18 – Tourism Facilities including Hotels states that planning permission will be granted for tourist related facilities, including business and visitor based accommodation, provided that in the case of hotels, a sequential test has been applied in selecting the application site.

4.4 **Part 2 Local Plan (Draft)**

- 4.4.1 The Part 2 Local Plan includes site allocations and specific development management policies. Consultation on the draft plan occurred between 18th September - 3rd November 2017. The consultation comments are currently being considered and a summary of the comments provided was reported to the Council's Jobs and Economy Committee on 14th December 2017. Due to the current stage of the plan preparation, only limited weight can be attached to the policies.
- 4.4.2 Policy 13: Proposals for main town centre uses in edge-of-centre and out-of-centre locations – permission will be granted for retail, leisure, office or food and drink uses in edge-of-centre and out-of-centre locations providing it is below 500 sq m gross floorspace; it is in an area of deficiency and meets local needs and such a use does not result in a significant adverse impact on the vitality and viability of any nearby centre. Impact assessments will be required for all edge-of-centre and out-of-centre retail, leisure, office or food and drink uses proposals of 500 sq m or more.
- 4.4.3 Policy 17 'Place-making, design and amenity' states that permission will be granted for development which meets a number of criteria (where relevant) including that it integrates into its surroundings; provides, or is close to, community facilities; has good access to public transport; creates a place with a locally inspired or otherwise distinctive character; takes advantage of existing topography and buildings; provides sufficient, well-integrated parking; ensures satisfactory standards of amenity for existing and proposed residents; enables convenient use by people with limited mobility; incorporates ecologically sensitive design, with a high standard of planting (makes use of native species) and features for biodiversity (including bat/bird boxes) and does not prejudice the development of a larger site. An assessment in relation to 'Building for Life' criteria will be required to be submitted within the Design and Access Statement.

4.5 **Nuthall Neighbourhood Plan**

- 4.5.1 The submission version of the Nuthall Neighbourhood Plan was published on Monday 26 February, with the consultation period to run until Friday 20 April 2018. Policy 5 'Design and the Historic Environment' states that design of all new development should enhance and positively contribute to the character of the area in which it is located. Due to the current stage of the plan preparation, only limited weight can be attached to the policies.

5 Consultations

- 5.1 Following the submission of a parking accumulation survey in relation to the pub and hotel, Nottinghamshire County Council as the Highway Authority are satisfied that car park can accommodate parking for both the pub and hotel during peak hours of use. A condition is recommended requiring the parking, turning and servicing areas be provided in accordance with the approved plans prior to the development being brought into use.
- 5.2 Nottinghamshire County Council as the Lead Flood Risk Authority request a condition for the submission of a full Drainage Strategy.
- 5.3 Nottinghamshire Wildlife Trust raise no objections to the proposed development.
- 5.4 The Senior Environment Health Officer has no objection following the submission of additional information relating to contaminated land and noise conditions.
- 5.5 A re-consultation has taken place with the Environment Business & Projects Manager (Environment) in respect of the landscaping proposals. Any correspondence received will be reported to the Committee on the night as a late item.
- 5.6 Nuthall Parish Council raise concerns with regards to the number of hotels already available in the area and the extra traffic that will be generated.
- 5.7 18 neighbouring properties were consulted on the application. A site notice was also erected. During the course of the application, 8 letters were received raising concerns which are summarised below:
 - The requirement for an additional hotel serving the area.
 - Pressure on parking spaces in front of residential properties in the locality.
 - Loss of privacy to nearby residential properties.
 - Anti – social behaviour issues.
 - Poor access road and the additional traffic the hotel will create.

6 Appraisal

- 6.1 The main issues relating to this application are the principle of development, design and the impact upon visual amenity of the area, residential amenity and highway safety. These are discussed in turn as follows:
- 6.2 Principle of Development
 - 6.2.1 Planning permission has previously been granted on the site in 2008 under reference number 08/00162/FUL to construct a hotel (Class C1) and associated car parking and landscaping, with an extension of time granted for the development under reference number 11/00140/FUL granted in 2011. Although these planning permissions have not been implemented, there has been no significant changes to the relevant policies including saved policy RC18 of the Broxtowe Local Plan (2004). The adoption of the Core Strategy, Policy 6 - Role of Town and Local Centres' and the Draft Part 2 Local Plan Policy 13 - Proposals for

Main Town Centre Uses in Edge-of-Centre and Out-of-Centre Locations are both in accordance with national policy which has not changed significantly since the previous applications referred to were determined. The style of the hotel and the location adjacent to the existing public house and the close proximity to the motorway serves as a different operational and marketing requirement to those hotels located within town centres. In view of this, the submission of a sequential test is not considered necessary. In previously granting planning permission for the hotel development, it is considered the principle of development on the land is acceptable, subject to consideration of other material planning considerations.

6.3 Design and Visual Amenity

- 6.3.1 Policy 10 'Design and Enhancing Local Identity' of the Broxtowe Aligned Core Strategy sets design and layout principles to be applied to new development and looks to ensure that valued local characteristics are reinforced.
- 6.3.2 Policy 17 'Place-making, Design and Amenity' states that permission will be granted for development which meets a number of criteria (where relevant) including that it integrates into its surroundings.
- 6.3.3 Policy 5 'Design and the Historic Environment' of the Nuthall Neighbourhood Plan states that design of all new development should enhance and positively contribute to the character of the area in which it is located.
- 6.3.4 The hotel will have a total of 39 bedrooms over two storeys, with access being directly from the existing car park to the south. The building will be a relatively modest structure of a simple design and massing, which will provide an active frontage onto the existing car parking area.
- 6.3.5 To the front of the building, which will be the most visible from the immediate locality will consist of a centrally located glazed entrance lobby/reception area, with timber cladding to the sides and an artificial slate roof. The main frontage of the building will consist of a render finish, with timber cladding to break up the massing of the frontage and provide interest. Windows are also proposed at ground floor and first floor level, with artstone sills and heads.
- 6.3.6 The render finish to the front of the building, will be continued along a section to the side of the building. Further along the side elevations, facing brickwork is proposed to break up the mass of the side elevations. Facing brickwork is also proposed to the rear elevation, with contrasting render. Details of the materials to be used are included on the submitted proposed elevation plan and are considered to be acceptable.
- 6.3.7 In terms of the impact upon the visual amenity of the area, directly to the west and north of the application site adjacent Woodhouse Way there is a bank of well - established trees which are proposed to be retained. This area forms part of the Nottinghamshire Green Belt, although the application site itself falls wholly outside of this area. Views of the side and rear elevations of the building will be restricted. Due to this it is not considered that the hotel would appear any more prominent in the Green Belt than the existing properties on the Morningson Crescent estate or

the public house, and will not therefore result in any adverse impact on the openness of the Green Belt.

6.3.8 The proposed building will be set back from the street scene of Mornington Crescent by a significant distance and the existing public house building will partly screen the proposed building. Hard and soft landscaping is proposed in areas around the car park perimeters and areas of grass around the building along with the planting of trees and shrubs in key areas to further screen the building.

6.3.9 Due to the design and location of the proposed hotel, it is not considered that the proposal will have a significant detrimental impact upon the visual amenity of the area or the character of the street scene.

6.4 Residential Amenity

6.4.1 Policy H8 – Businesses in Residential Areas states that business activities in residential areas will be permitted where the residential amenity of neighbouring properties is not adversely affected.

6.4.2 Concerns have been raised by local residents in respect of the loss of privacy to residential properties and the potential for anti - social behaviour.

6.4.3 The hotel will set 14m off the north east boundary, which is its boundary with the closest residential dwelling (10A Temple Crescent). The total separation distance between the hotel and this neighbour is approximately 60m. Having regard to this, the proposed landscaping and the overall scale of the hotel being 2 storey with a maximum height of 10.3m, it is not considered that there would be any significant overbearing impacts on the neighbouring properties.

6.4.4 Whilst it is acknowledged that the provision of a hotel within the locality will lead to an increase in comings and goings of customers both by foot and car, this is likely to be at peak times and in association with the existing public house. In addition, there are existing commercial properties directly to the east which would also contribute to this factor.

6.4.5 Whilst there are residential properties sited to the rear of the application site on Temple Crescent and air conditioning units are proposed on this elevation, the Senior Environmental Protection Officer has advised that following the submission of additional information in respect of the noise levels associated with the units and the fact that they will be housed in a timber compound, there are no objections to planning permission being granted.

6.4.6 In respect of anti – social behaviour, there is no evidence to suggest this would occur over and beyond what is currently/previously being experienced by local residents. However, should this occur once the hotel is operational this issue would be dealt with by the police.

6.4.7 The proposal is not considered to have an adverse impact upon the residential amenity of the neighbouring property in respect of overlooking, overbearing or noise impacts, due to the separation distances.

6.5 Highway Safety

- 6.5.1 Policy T11 of the Broxtowe Local Plan (2004) advises that appropriate provision should be made for parking.
- 6.5.2 The application is for the construction of a 39 bedroom hotel and information submitted indicates the proposal would result in an overall loss of 4 parking spaces.
- 6.5.3 The previous planning application to erect a hotel on the site was for a 44 bed hotel. As part of this application it was stated that parking would be increased from 96 to 108 spaces. Nottinghamshire County Council as the Highway Authority originally queried the difference in proposed parking spaces of 16 between this application and the previous application given this application proposes 5 fewer hotel rooms. In view of this, further analysis and justification in respect of the proposed parking provision was requested.
- 6.5.4 Following on from this request, a parking accumulation survey in relation to the pub and hotel was submitted. The Highway Authority is now satisfied that the proposed off-street parking should accommodate vehicles for both the pub and hotel during peak hours of use. A condition is recommended requiring the parking, turning and servicing areas are provided in accordance with the approved plans prior to the development being brought into use.
- 6.5.5 It is not considered that a hotel of this scale would generate significant traffic movements within the locality.
- 6.5.6 Based on the above, it is considered that there would not be sufficient policy justification for refusing the application on highway safety or parking grounds.

6.6 Other Issues

- 6.6.1 As part of the consultation process, Nottinghamshire Wildlife Trust were consulted following the submission of a preliminary ecology appraisal. In summary, it is advised that the Wildlife Trust are satisfied with the methodology employed and support the general recommendations for measures to avoid ecological impact.

7 Conclusion

- 7.1 Overall, it is considered that the proposal would not be harmful to the visual and residential amenity of the area, would provide adequate off – street parking provision and will have no significant adverse impact on highway safety. Therefore, the proposal is considered to be in accordance with the relevant local and national policy guidance and there are no material considerations which would warrant a decision being taken at variance to this.

Recommendation

The Committee is asked to RESOLVE that consent be granted subject to the

following conditions:

1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of the permission.
2. The development hereby permitted shall be carried out in accordance with drawing numbers: Location Plan, 4366 A001 received by the Local Planning Authority 19 December 2017, Ground Investigation Report (J17152A February 2018) received by the Local Planning Authority 20 March 2018 Proposed Elevations and Roof Plan, 4366 A102E, Proposed Floor Plans, 4366 A101B received by the Local Planning Authority 23 March 2018, Proposed Compound Plan, 4366 A009A, Proposed Site Plan, 4366 AO22G, Soft Landscape Details, MR17-057/101B, Proposed Hard Landscaping, 4366 AO44C and Proposed Fence Details, 4366 A055B received by the Local Planning Authority 5 April 2018
3. No part of the development hereby permitted shall be brought into use until the parking, turning and servicing areas are provided in accordance with the approved plans. The parking, turning and servicing areas shall not be used for any purpose other than parking, turning, loading and unloading of vehicles, and shall remain available as such for the life of the development.
4. The development hereby approved shall be undertaken and carried out in accordance with the details and mitigations measures outlined in the submitted Preliminary Ecological Appraisal (Torc Ecology, July 2017) and the Badger EclA Report (Torc Ecology, October 2017).
5. Development shall not begin until a detailed Drainage Strategy has been submitted to and agreed in writing by the Local Planning Authority. The strategy should consider the following:
 - The hierarchy of drainage options should be infiltration, discharge to watercourse and finally discharge to sewer subject to approval by Severn Trent Water.
 - If infiltration is not to be used on site then justification should be provided including the results of infiltration tests.
 - For greenfield areas, the maximum discharge should be the greenfield run-off rate per hectare (Qbar).
 - For brownfield areas that previously drained to sewers, the previous discharge rate should be reduced by 30% to allow for future climate change.
 - The site drainage system should cater for all rainfall events up to a 100year+30%climate change allowance level of severity.
 - The underground drainage system should be designed to not surcharge in a 1 year storm, not to flood in a 30 year storm.
 - For all exceedance to be contained within the site boundary without flooding new properties in a 100year+30% storm.
 - Any attenuation storage to be adequate for the surface water produced by the site, up to 100year+30% event.

6. No development, including site clearance, shall commence until details of retained trees and measures for their protection have been submitted to and agreed in writing by the Local Planning Authority. The agreed fencing shall be in place before any equipment, machinery or materials are brought onto the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site.
7. The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development or occupation of the building(s), whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.

Reasons

1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. In the interests of highway safety.
4. To ensure the development does not have an adverse impact upon species specifically protected under the schedules of the Wildlife and Countryside Act 1981 in accordance with the aims of the NPPF.
5. To reduce the risk of flooding to the proposed development and to prevent flooding elsewhere, in accordance with Policy 1 of the Broxtowe Aligned Core Strategy (2014).
6. Insufficient details were included with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing to ensure the existing trees are not adversely affected and in accordance with the aims of Policy E24 of the Broxtowe Local Plan (2004).
7. To ensure the development presents a more pleasant appearance in the locality.

Note to Applicant

1. The Council has acted positively and proactively in the determination of this application in line with the guidance contained within paragraphs 186 and 187 of the National Planning Policy Framework by seeking amended plans, to address the issues identified on the officers site visit.
2. Given the proximity of residential neighbours to the application site, contractors are advised to limit any noisy construction works to between 08.00-18.00 on Monday-Friday and between 08.00-13.00 on Saturdays, and

not at all on Sundays or Public Holidays.

- 3. No clearance of vegetation shall be conducted during the bird breeding season (March to August inclusive), except under the guidance of a suitably qualified and experienced ecologist.**

Background papers

Application case file

