

## Report of the Chief Executive

**18/00176/FUL**

**HYBRID PLANNING APPLICATION COMPRISING A FULL APPLICATION TO CONSTRUCT INDUSTRIAL/OFFICE UNITS (CLASS B1 AND B2) INCLUDING A LINK BUILDING, ATTENUATION POND, SITE ACCESS, CAR PARK AND LANDSCAPING (PHASE 1). OUTLINE APPLICATION TO CONSTRUCT INDUSTRIAL UNIT (CLASS B1 AND B2) PHASE 2.**

**LAND NORTH OF COMMON LANE AND WEST OF COMMON FARM, COMMON LANE, WATNALL**

Councillor Jill Owen requested this application be determined by the Committee.

1 Details of the Application

1.1 This is a major hybrid planning application for the construction of a B1/B2 industrial building with offices, a link building to the existing Aero Fabrications industrial units on Common Lane, access and parking.

1.2 Phase 1 is in full and comprises the site access and highway works, car parking and yard areas. The front part of the site would accommodate offices and a new manufacturing unit with attenuation pond set towards the south-eastern part of the site. The Phase 1 footprint would be 7,130sqm and the building would be single storey with a maximum height of 10.7 metres. A detailed landscaping scheme, including planting to the site frontage and along the boundaries, is also proposed.

1.3 Phase 2 is in outline and would provide an additional 4,000sqm of floorspace to allow the future expansion of Aero Fabrications when the company leases expire on their other site at Moorgreen.

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

- Planning Statement
- Landscape and Visual Appraisal and Green Belt Assessment
- Flood Risk Assessment and Sustainable Drainage Strategy
- Transport Assessment and Travel Plan
- Design and Access Statement
- Ecology Appraisal.

2 Site and Surroundings

2.1 This Green Belt site is located on the eastern side of Main Road with allotments to the north, agricultural land to the east, the existing industrial units on Common Lane to the south and the highway with dwellings beyond to the west. The site is 8.8 acres in area and comprises a narrow strip of agricultural land which is

relatively flat. A public footpath is adjacent to the rear of the site. There is a hedgerow beside Main Road.



View from footpath towards Common Lane



View 'into' the site from the rear boundary



Views from Main Road looking towards the site with the adjacent industrial site



Looking in a south-easterly direction towards the site from Main Road

### 3 Relevant Planning History

- 3.1 Outline planning permission was granted in 1980 for the industrial development at the adjacent site (80/00889/OUT). Subsequent applications followed to gain full consent for individual units across the site.

3.2 There is no relevant history on this site.

#### 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. Paragraph 14 deals with the presumption in favour of sustainable development which for decision taking means approving development proposals without delay and where the development plan is absent, silent or relevant policies are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies contained in the NPPF or specific policies indicate development should be restricted.

4.1.2 Paragraphs 18-22 confirm the Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's strength. It states planning should operate to encourage and not act as an impediment to sustainable growth and that significant weight should be placed on the need to support economic growth. At paragraph 21 it states planning policies should recognise and seek to address potential barriers to investment and that local planning authorities should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances.

4.1.3 Section 7 sets out the Government's approach to design and places great importance on the design of the built environment and states that good design is a key aspect of sustainable development.

4.1.4 Section 9 deals with the Green Belt stating the Government attaches great importance to Green Belts and that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence. It sets the 5 purposes of Green Belt and states development in the Green Belt is generally considered inappropriate unless very special circumstances can be demonstrated which outweigh any potential harm to the Green Belt.

4.1.5 Section 10 deals with climate change and flooding and Section 11 with conserving and enhancing the natural environment.

##### 4.2 **Broxtowe Aligned Core Strategy**

4.2.1 The Council adopted the Core Strategy (CS) on 17 September 2014.

4.2.2 'Policy A: Presumption in Favour of Sustainable Development' reflects the presumption in favour of sustainable development contained in the NPPF. Applications which accord with the Local Plan will be approved without delay unless material considerations indicate otherwise.

- 4.2.3 Policy 1 Climate Change states all proposals will be expected to mitigate against and adapt to climate change, be of a sustainable design and provide sustainable drainage.
- 4.2.4 Policy 3 The Green Belt sets out that the principle of the Nottingham Derby Green Belt will be retained.
- 4.2.5 Policy 4 Employment Provision and Economic Development states the economy will be strengthened and diversified with new floorspace being provided across all employment sectors to meet restructuring, modernisation and inward investment needs.
- 4.2.6 Policy 10 Design and Enhancing Local Identity requires all developments to be designed to make a positive contribution to the public realm and sense of place.
- 4.2.7 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.
- 4.2.8 Policy 16: Green Infrastructure, Parks and Open Spaces sets out a strategic approach to the provision of new Green Infrastructure. It states that existing Green Infrastructure corridors will be protected and enhanced. Criteria for development impacting on existing open space are provided. Landscape Character should be protected, conserved or enhanced where appropriate in line with the recommendations of the Greater Nottingham Landscape Character Assessment.
- 4.2.9 Policy 17: Biodiversity identifies the requirement to increase biodiversity over the Plan period. Measures to ensure this include the need for new development to provide new biodiversity features and improve existing biodiversity wherever possible. The policy also requires that, where biodiversity loss is unavoidable, it needs to be demonstrated that there are no alternative sites or schemes that are suitable.
- 4.3 Saved Policies of the Broxtowe Local Plan**
- 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 K5 defines the extent of the Green Belt in Broxtowe.
- 4.3.3 Saved Policy E8 states permission will not be granted for development in the Green Belt except where it constitutes appropriate development.
- 4.3.4 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.
- 4.3.5 Policy T1: Developers Contributions to Integrated Transport Measures advises when contributions towards transport infrastructure should be sought.

4.3.6 Policy T11 of the Broxtowe Local Plan (2004) advises that appropriate provision should be made for parking.

#### **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 18 September and 3 November 2017. The consultation comments are currently being considered and a summary of the comments provided were reported to the Council's Jobs and Economy Committee on 14 December 2017. Due to the current stage of the plan preparation, only limited weight can be attached to the policies.

4.4.2 Policy 8 Development in the Green Belt states applications for development in the Green Belt will be determined in accordance with the NPPF.

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 Greasley Neighbourhood Plan**

4.5.1 The Greasley Parish Council Neighbourhood Plan has undergone consultation on the interim draft plan. It contains presumptions to seek to retain existing business and to facilitate the creation of new jobs and to protect the Green Belt from development. Due to the current stage of plan preparation, only limited weight can be attached to this plan.

### **5 Consultations**

5.1 Nottinghamshire County Council as the Highway Authority have confirmed the layout of the proposed junction is suitable to serve the proposed development.

5.2 Nottinghamshire County Council as the Lead Local Flood Authority have no objection and request a condition requiring the submission of soakaway testing to justify the decision not to use infiltration as the primary form of drainage.

5.3 Nottinghamshire County Council Area Rights of Way Officer confirms Greasley Footpath 18 abuts the outside corner of the development site; however, the footpath appears unaffected by the development and recommend an informative requiring the footpath to not be encroached upon, to remain open at all times and not obstructed.

- 5.4 Nottinghamshire County Council Nature Conservation Officer raises no objection subject to conditions requiring the submission and implementation of a bat sensitive lighting scheme, to control the timing of vegetation clearance and to protect hedgerows.
- 5.5 Nottinghamshire County Council Planning raise no objection and state it would be useful for the application to be supported by a waste audit and there are no objections from a minerals perspective.
- 5.6 The Senior Environmental Health Officer has no objection subject to conditions controlling the times of deliveries and limiting noise emissions.
- 5.7 The Planning Development and Regeneration Manager states Aero Fabrications is a well-established local company with 95% of the highly skilled workforce taken from the local area. The company anticipates 20% growth in the next two years, without taking on further contracts, the company have invested within the site over several years and the proposal would allow it to expand its current operations which would enable further contract opportunities to be realised, remove the need to move, allow them to comply with tight aerospace regulations and prevents 90 jobs being put at risk. Furthermore 30 new jobs would be created immediately, with other job opportunities likely to follow. If/when the second stage of the development is implemented, Aero Fabrications will leave their current premises on Moorgreen Industrial Park, Engine Lane which will provide commercial units for businesses looking to expand or relocate into the Borough.
- 5.8 The Environment Agency state the site falls in Flood Zone 1.
- 5.9 42 neighbouring properties were consulted on the application and a site notice was posted. During the course of the application, 47 letters were received objecting on the following grounds:
- There will be further applications leading to urban sprawl, the site acts as a buffer from the centre of the village, loss of rural identity, development does not respond to the village characteristics, landscaping will not adequately mask development, harmful impact for users of the footpath;
  - Question the case made in support of the application, i.e. other companies manage to relocate, not convinced by accreditation case, there are other industrial sites in the area, the proposal would make part of the adjacent industrial floorspace redundant through creating more space in the Green Belt, the development does not meet the exceptional circumstances required for the Green Belt, there would be a loss of 8 acres of Green Belt, loss of openness;
  - Loss of agricultural land;
  - Already excess traffic in the area, including large quantities of lorries, many of which drive too fast, the road is overstretched and there is no room to make a third lane for lorries turning, the proposed alterations to the road are not safe, access to Stannier Way already difficult and new road layout

and additional traffic could make it more dangerous to use this junction, no consideration given to pedestrians, including children, walking along Main Road, no correlation between the number of vehicle movements to the proposed site (58 per day) and the proposed 199 car parking spaces, public transport does not provide a sufficiently regular service or sufficient capacity to attract workers to use it, the Rolls Royce site will also have industrial units and housing which must be taken into account in traffic generation assessments, additional congestion;

- The development would not be in line with the Local Plan;
- Would expect an EIA, light pollution needs to be considered, the land is prone to flooding, air quality and acoustics has not been professionally assessed, increase in cleaning materials/detergents, oils and lubricants for machinery, primers and paints adjacent to housing, traffic pollution;
- The existing hedgerow beside Main Road will be removed leading to loss of habitation, difficult to see how the hedges will be maintained, the proposed attenuation pond has been poorly sited which means it is likely to have poor links to existing fauna pathways;
- Unreasonable loss of privacy to residents in the vicinity of the site.

## 6 Appraisal

6.1 The main issues relating to this application are the principle of development, including development within the Green Belt, design and the impact upon visual amenity of the area, residential amenity, highway safety and ecology. These are discussed in turn as follows:

### 6.2 Green Belt

6.2.1 The site lies in the Green Belt and the NPPF states inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering a planning application, substantial weight should be given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

6.2.2 The construction of new buildings is inappropriate in the Green Belt other than a number of exceptions; the proposal does not meet any of these exceptions. As such, the proposal is inappropriate and by definition would be harmful to the Green Belt.

6.2.3 In terms of what may amount to very special circumstances, the applicant states that Aero Fabrications specialise in the manufacture of fabricated parts, details and assemblies for the aerospace industry. Tight aerospace industry regulations mean that companies cannot operate without the necessary approvals and accreditations which are site and address specific and can take up to four years to obtain. The company has grown by more than 350% over the last five years,

investing approximately £5 million in technology at Common Lane with a significant increase in staff over the last three years (187 full time staff currently employed). The company anticipate growth of 20% over the next two years but have outgrown the current accommodation on Common Lane and at Moorgreen. Additional floorspace is therefore urgently required to demonstrate their capacity to existing and potential customers, enabling their continued growth. The company anticipate the additional floorspace would lead to a further 30 jobs immediately but without the new accommodation, the company could not take on new business and existing customers may look to remove some business from the company which would put 90 jobs at risk.

- 6.2.4 Given the accreditation and approval regime, the company state moving is not a realistic option and that it is imperative the Common Lane address is maintained. The application reflects this by physically linking the existing premises to the new premises in order to share the address. Additional evidence, which is commercially sensitive, has been provided to officers to substantiate the accreditation and approval regime.
- 6.2.5 The company has a largely locally sourced workforce who are highly skilled and the company provide support for a range of education programmes assisting individuals with the skills required for long term careers.
- 6.2.6 It is considered by officers that a convincing case has therefore been made to justify the need for the additional accommodation in order for this successful local company to expand. It is also considered that a convincing case has been made to demonstrate how it is not feasible for the company to expand without maintaining the current Common Lane address. The NPPF places great weight on assisting economic development and ensuring the planning system does not place barriers to growth and investment. The alternative to expanding the company on this site could feasibly be the loss of opportunity to expand and the resultant harm to the economy and potentially the loss of jobs.
- 6.2.7 The site is currently an undeveloped, agricultural field which is open and contributes to the Green Belt. Green Belts serve five purposes which are:
- To check the unrestricted sprawl of large built up areas;
  - To prevent neighbouring towns merging into one another;
  - To assist in safeguarding the countryside from encroachment;
  - To preserve the setting and special character of historic towns; and
  - To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 6.2.8 In terms of Green Belt seeking to check unrestricted sprawl, the proposal would develop an agricultural field into an industrial site, taking built development further north and east. The site is however narrow and a relatively enclosed parcel of land which is constrained by the existing Common Lane development to the south and the allotments to the north. The eastern boundary abuts the footpath which would act as a physical barrier to further development. The development would not project beyond the eastern boundary of the Common Lane development and would therefore have a limited excursion into the Green Belt. It is not considered the proposal would represent unrestricted sprawl of the built-up area.



- 6.2.9 The second role of the Green Belt is to prevent neighbouring towns merging into one another. The development would not extend beyond the end of Common Lane and therefore the overall distances between Watnall and Bulwell would not be reduced.
- 6.2.10 The Green Belt seeks to safeguard the countryside from encroachment. Given the constraints of the site with allotments to the north, Common Lane to the south and residential development to the west, the site makes a limited contribution to the overall countryside setting of Watnall, being a narrow-fronted parcel of land. Development of the site would clearly represent development in the countryside; however, on balance, it is not considered this incursion would represent significant encroachment.
- 6.2.11 The Green Belt seeks to preserve the setting of historic towns; Watnall does not contain a Conservation Area and is not a historic town. As such, the purpose of the land being within the Green Belt would not be compromised by this proposal.
- 6.2.12 Finally, the Green Belt seeks to assist urban regeneration by encouraging the recycling of derelict sites; for reasons given earlier in the report, the jobs and potential regeneration benefits cannot realistically be achieved on an alternative site not on the Green Belt.
- 6.2.13 The Council's 2015 Green Belt Review divided the Green Belt around Kimberley into seven distinct zones and this site scored the second lowest score of the Kimberley zone, with higher scores indicating greater importance in the Green Belt. As such, the review highlighted this site was not one of the highest performing areas of Green Belt.
- 6.2.14 As set out above, the Green Belt policy is to control development by keeping the designation permanently open. The development would to an extent, result in a built incursion into the Green Belt; this would not be unrestricted sprawl but would represent encroachment into the countryside. It is considered by officers that the economic benefits of the application, the lack of these benefits being realised on other sites and the lack of harm to the purposes of including land in this Green Belt, amount to a convincing case to demonstrate very special circumstances which outweigh harm.

### 6.3 Principle of Development and Land Use

- 6.3.1 The proposal comprises an industrial development on land currently in agricultural use and forming part of the countryside. Paragraph 112 of the NPPF states that where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.
- 6.3.2 The development would result in the loss of this agricultural land. However, it comprises only 8.8 acres and the site is constrained by allotments to the north and Common Lane to the south. As such, it is not considered the loss of this parcel of agricultural land would be harmful on a district wide level.

6.3.3 The parcel of land is within the countryside; however, it is well related to Watnall with allotments to the north, Common Lane to the south and abuts the highway to the west. The site is adjacent to the built-up part of Watnall and although it would lead to development on land classed as countryside, it would represent a relatively small incursion into the rural fringe of Watnall.

#### 6.4 Design and Visual Amenity

6.4.1 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.

6.4.2 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.

6.4.3 The proposal comprises the erection of an industrial building of one storey with offices to the front of the building and the industrial floorspace beyond. This would provide 7,130m<sup>2</sup> of floorspace. The building would be set back in excess of 42 metres from the site frontage to allow it to be in line with the façade of the building on the adjacent site to the south and to facilitate landscaping on the site frontage. The front part of the building would have a maximum ridge height of 7.5 metres, with the rear portion comprising a maximum of 10.7 metres.

6.4.4 A detailed landscaping scheme has been submitted to incorporate frontage landscaping, additional landscaping on the northern boundary and planting on the eastern boundary. In order to facilitate the access, there would be some loss of the existing hedgerow and the replacement planting would include native hedgerow. The eastern part of the site would be heavily planted with native trees to form a wooded edge and there would be additional planting around the attenuation pond.

6.4.5 The second phase is anticipated to come forward in approximately seven years time when the leases at Moorgreen expire. This phase would extend to 4,000m<sup>2</sup> and would be sited to the rear of the building proposed at this stage.

6.4.6 The development would have a significant visual impact in developing a field characterised by its openness and undeveloped nature. However, the field is relatively narrow and is constrained to the south by the Common Lane development. The proposal has been developed in order to attempt to reduce the visual impact and to integrate the development as effectively as possible. The building would be set well back from the highway boundary with landscaping along the boundary and on land towards the front of the site; this would effectively screen the development from the public realm. A section of hedgerow would be lost and the access would be clearly visible, presenting a more engineered appearance. However, this is only for a relatively short section. The proposed planting would strengthen the boundary treatment to the north and there would be a planting belt along the eastern boundary; this would reduce the visual impact of the development from the footpath and in longer distance views from the east.

6.4.7 The proposed building would be of a modern design, with a nautical theme on the façade. With the public face of the building on the front elevation, the building would have the appearance of a large office rather than of an industrial building. This portion of the building would mask the remainder of the building which would have a greater industrial hue. Overall, it is considered the design, layout and landscaping would allow the development to be effectively integrated into the site and would be read as part of the development to the south, albeit with a far greater degree of landscaping.

## 6.5 Landscape and Visual Appraisal

6.5.1 A Landscape and Visual Appraisal and Green Belt Assessment has been submitted in order to provide an assessment of the likely effects of the proposed development on landscape and visual receptors. The report draws on relevant policies, national and local landscape character assessments and a visual assessment of the site and surroundings. It establishes a number of important viewpoints in order to form a conclusion on the visual impact on the landscape.

6.5.2 The report considers during the construction phase there would be a minor/moderate adverse landscape effect on the site and immediate context with effects localised to the site and adjacent settlement edge. Once complete and at the operation stage, the site is considered to be of low/medium susceptibility to change and of low/medium landscape value. The report notes the development would include a substantial proportion of green infrastructure (30% of the site) which would lead to a net gain in habitats across the site and would establish a robust landscape framework for the built development proposals.

6.5.3 The report also considers the visual effects on residential properties and concludes the proposed landscaping to the front of the site would reduce the impact to negligible/minor adverse. Properties fronting onto Main Road which experience more direct views due to their orientation would experience minor/moderate effects where the proposed buildings would appear as a continuation of the existing industry to the south.

6.5.4 The impact of the development on users of the local footpath network is assessed and notes the greatest effect would be experienced by users of the footpath on Common Lane where a short section abuts the site. However, with the proposed woodland buffer, these effects would be negligible/minor adverse. More distant views from the footpath network east of the M1 are unlikely due to intervening topography, vegetation and Common Farm.

6.5.5 It is considered the conclusion of the report can be supported. This states the landscape character of the site has the ability to absorb change through the introduction of the development and associated green infrastructure which would be appropriate within the landscape context and the proposed development would not give rise to any unacceptable landscape and visual harm.

## 6.6 Residential Amenity

6.6.1 Although the site is located within a mixed area, not solely residential, it is considered appropriate to assess the proposal against Policy H8 which states that

business activities in residential areas will be permitted where the residential amenity of neighbouring properties is not adversely affected.

6.6.2 Concerns have been raised by neighbours about light pollution, air quality and how it is difficult to assess the likely impact of the proposal on local residents.

6.6.3 Aero Fabrications do not produce any airborne emissions beyond those usually associated with industrial units and state beyond the existing generator, there are no other noise sources above those common for such an industrial estate. Lighting, noise and deliveries can be controlled by condition. The proposed development would remove the need for the generator and the Council's Environmental Health Officer raised no objection to the proposal.

6.6.4 The built form of the building would not adversely affect the residential amenity of neighbouring properties. The site is adjacent to allotments to the north, countryside to the east and Common Lane to the south. Although there are residential properties to the west, these are separated by the significant distance of the setback from the highway and the road itself, with the closest neighbouring residential property being 73 metres from the front of the proposed building. As such, there would be no overlooking, overbearing impact, loss of daylight/sunlight etc.

## 6.7 Highways

6.7.1 It is proposed that access to the development is taken via a new junction onto the B600 Main Road. The junction takes the form of a priority junction with a ghost island right turn facility.

6.7.2 The Transport Assessment identifies as a worst-case scenario, the proposed development, when complete, would result in up to 58 vehicle movements onto Main Road in the peak hour. Observed existing flows along Main Road are more than 1,000 vehicles during the morning peak and more than 1,200 during the evening peak.

6.7.3 The proposal seeks to provide 39 parking spaces to the front of the proposed building and 160 spaces to the rear on permeable gravel, a total of 199 parking spaces would be available for parking on site. Additionally, HGV parking will be provided.

6.7.4 Due to concerns raised in respect of the information submitted with the application, an addendum to the Transport Assessment and a site plan clearly identifying parking spaces were submitted during the course of the application. In response to this additional information, the Highways Authority raise no objections to the development, subject to conditions. They comment that:

- The speed survey demonstrates that the site is suitable for installation of a zebra crossing and therefore our concerns in this regard have been satisfactorily addressed.
- Car parking provision is considered to be acceptable.
- HGV turning areas and parking space (whilst not laid out) are considered to be acceptable.

- The highways impact of the development has been appropriately assessed using robust trip generation data and shown to be acceptable at all key junctions in the area, taking into account planned major developments in the area and no mitigation is required.
- Whilst there are some minor changes which need to be incorporated into the submitted Travel Plan, this document is largely acceptable and any matters of concern can be appropriately controlled by condition.

6.7.5 Having regard to the information submitted, the proposed highway alterations to accommodate the development and the comments received from the Highways Authority, the application is considered to be acceptable in relation to the impact of the development on the local highway network.

## 6.8 Ecology

6.8.1 An Ecological Appraisal has been submitted and concludes the proposal would have no impact on any of the nearby SSSI's due to lack of connectivity across the intervening landscapes. Four non-statutory designated sites are within 1km of the application site and would not be affected. The site comprises mainly arable habitat bordered in part by a small amount of unimproved grassland. The loss of these habitats would not affect biodiversity locally and to compensate for the loss of some sections of hedgerow, the landscaping scheme can incorporate new species rich native hedgerow planting to enhance habitat corridors. No evidence of potentially suitable habitats for protected, rare or notable species were noted.

## 6.9 Flood Risk and Drainage

6.9.1 A Flood Risk Assessment and Sustainable Drainage Strategy has been submitted. This did not identify any significant pluvial, groundwater or sewer-based risks. The closest watercourse, the Gilt Brook, is 1.7km away from the site and modelling shows there to be no risk posed to this site. External levels on the site would be arranged to provide routes away from building thresholds to manage any residual risk associated with groundwater, sewer and pluvial sources. A surface water drainage assessment has concluded discharge to the surface water sewer along Main Road is suitable and a restricted discharge to the surface water sewer along Main Road is proposed. Attenuation will be provided in a pond on the south-eastern side of the site. The report concludes the development represents sustainable development.

6.9.2 Nottinghamshire County Council as the Lead Local Flood Authority have no objection and request a condition requiring the submission of soakaway testing to justify the decision not to use infiltration as the primary form of drainage. The Environment Agency confirm the site is within Flood Zone 1.

6.9.3 It is considered the proposal poses no undue flood risk and the drainage of the site can be dealt with via a condition.

## 6.10 Comments from Neighbours

6.10.1 It is acknowledged a large number of objections have been received raising concerns on the grounds of precedence, urban sprawl, development in the Green

Belt, questioning the justification for the development at this location, traffic and access issues, contrary to the Local Plan and harm to residential amenity.

6.10.2 The recommendation to approve is an on balance view taking into account the submission, national and local policies and all representations received. Whilst precedence in planning does not exist, issues of urban sprawl and the justification for the development in this Green Belt location are discussed above and in the planning balance, approval is recommended. The application has been carefully assessed in terms of highway safety and residential amenity and it is not considered there are adequate grounds to resist the application, subject to conditions.

## 7 Conclusion

7.1 The proposed development is inappropriate and by definition is therefore harmful to the designated Green Belt, affecting the openness of the site. It is considered that a convincing case has been made by the applicant to demonstrate the economic benefit that the proposal would yield, with specific reference to the supporting of current employment and training opportunities at the site and the creation of additional jobs. They have also identified the difficulties involved in relocating the business due to the strict accreditation process involved in the industry, which could result in significant time delays and loss of current contracts.

7.2 Whilst the proposal would result in more development within the Green Belt, it would not lead to a significant urbanising impact upon it, would not lead to the coalescence of any settlements and would not significantly adversely impact upon the surrounding locality. Consequently, when weighed in the balance against the case put forward by the applicant, it can be argued that there are sufficient very special circumstances to support the development.

7.3 In addition to this, the proposal would not be harmful to the visual and residential amenity of the area, would provide adequate off-street parking provision and access and would 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 outweigh this.

7.4 As the very special circumstance relate to the applicant and their business, it is considered appropriate to attach a condition to any permission requiring that they are the first company to occupy the premises.

7.5 Whilst it is the view of officers that sufficient very special circumstances apply to outweigh the harm the proposal would cause to the Green Belt, should Committee resolve to grant planning permission, in accordance with the relevant direction, the application must be referred to the Secretary of State prior to issuing a planning permission.

**Recommendation**

The Committee is asked to RESOLVE that:

- 1) In accordance with the Town and Country Planning (Consultation)(England) Direction 2009, the application be referred to the Secretary of State for Housing, Communities and Local Government, advising him that the Local Planning Authority is minded to approve the application and that;
- 2) Subject to the application not being called in for determination by the Secretary of State, the Head of Neighbourhoods and Prosperity be given delegated authority to grant planning permission subject to the following conditions:
  1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.
  2. Application for approval of reserved matters in respect of Phase 2 must be made no later than the expiration of five years beginning with the date on which this permission is granted, and the development of Phase 2 must not begin later than five years from the final approval of the reserved matters for Phase 2 or, in the case of approval on different dates, five years from the final approval of the last such matters to be approved.
  3. Phase 2 of the development hereby permitted shall not be commenced until approval of the details for appearance, layout, landscaping and scale for Phase 2 (the reserved matters) has been obtained from the Local Planning Authority.
  4. The development hereby permitted shall be carried out in accordance with drawing numbers:  
  
Location Plan  
170926-031-08 Site Layout  
170926-034-02 Layout  
170926-035-01 Roof  
170926-036.03 Elevations 1 of 2  
170926-037-02 Elevations 2 of 2  
170926-040.01 Block Plan  
8232-L-01E Landscaping  
8232-L-02E Landscaping  
8232-L-03E Landscaping  
ADC1655/001C Access Junction Layout.
5. The development shall be carried out in accordance with the materials detailed at page 8 of the Design and Access Statement January 2018.
6. The approved landscaping scheme shall be carried out no later than the first planting season following the substantial completion of Phase 1 or occupation of the building, whichever is the sooner and any trees or plants which within a 5 year period, 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.

7. Details of the proposed boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of the unit, the boundary treatment shall be erected in compliance with these details and shall be retained in this form for the life of the development.
8. Before commencement of development, details of soakaway testing, in accordance with BRE365, and a full drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with these approved details and scheme and shall thereafter be so maintained.
9. Before development commences, details of the protection measures to be implemented for the retained hedges, in accordance with BS5837(2012) shall be submitted to and approved in writing by the Local Planning Authority. These approved measures shall be implemented prior to work commencing on the site and shall be maintained throughout the construction phase.
10. Before the development is occupied, details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the first use of the building hereby approved.
11. Deliveries by commercial vehicles shall only be made to or from the site between 0700 and 2100 hours Monday to Saturday and 0900 and 1800 hours on Sundays, Bank Holidays and other public holidays, unless the prior agreement in writing from the Local Planning Authority has been obtained.
12. The total rating level resulting from the use of any plant, machinery or equipment hereby installed pursuant to this permission, shall not exceed the existing day time or night time background sound levels when measured according to British Standard BS4142:2014 at a point one metre external to the nearest noise sensitive premises.
13. Before development commences, a waste audit for the construction phase shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
14. The building hereby approved shall be first occupied by Aero Fabrications.
15. No part of the development shall be brought in use until the new right turn facility and zebra crossing have been provided on Main Road, as shown for indicative purposes only on drawing referenced ADC1655/001 Rev C, to the satisfaction of the Local Planning Authority.



- 16. No part of the development hereby permitted shall be brought into use until the parking/turning/servicing areas are provided in accordance with the approved plan 170926-031.08. The parking/turning/servicing areas shall not be used for any purpose other than parking/turning/loading and unloading of vehicles.**
- 17. No part of the development hereby permitted shall be brought into use until the parking/turning/servicing areas are constructed with provision to prevent the unregulated discharge of surface water from the parking/turning/servicing areas to the public highway in accordance with details first submitted to and approved in writing by the Local Planning Authority. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.**
- 18. No development shall take place until the owner or the occupier of the site has appointed and thereafter continue to employ or engage a travel plan coordinator, who shall be responsible for the implementation, delivery, monitoring and promotion of the sustainable transport initiatives set out in the Interim Travel Plan to be approved prior to development taking place and whose details shall be provided and continue to be provided thereafter to the Local Planning Authority.**
- 19. The travel plan coordinator shall within 6 months of occupation, produce or procure a Detailed Travel Plan that sets out final targets with respect to the number of vehicles using the site and the adoption of measures to reduce single occupancy car travel consistent with the Interim Travel Plan to be approved by the Local Planning Authority. The Travel Plan shall be implemented in accordance with the approved timetable and be updated consistent with future travel initiatives, including implementation dates, to the satisfaction of the Local Planning Authority.**
- 20. The travel plan coordinator shall submit reports in accordance with the Standard Assessment Methodology (SAM) or similar to be approved and to the Local Planning Authority in accordance with the Travel Plan monitoring periods. The monitoring reports submitted to the Local Planning Authority shall summarise the data collected over the monitoring period and propose revised initiatives and measures where travel plan targets are not being met, including implementation dates, to be approved in writing by the Local Planning Authority.**
- 21. Before the development commences, the routeing of construction traffic, including proposed construction site access arrangements, shall be submitted to and approved in writing by the Local Planning Authority and no other access points for construction traffic shall be used unless otherwise agreed in writing by the Local Planning Authority.**
- 22. No development shall take place until details of wheel-washing facilities to be provided on site have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided prior to development commencing and shall be maintained on site during the period of**

construction. All commercial vehicles shall have their wheels washed before entering the public highway.

### 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. To enable the Local Planning Authority to control the development in detail and in order that the development is commenced in a timely manner, as set out in Section 92 of the Town and Country Planning Act 1990 (as amended).
3. To enable the Local Planning Authority to control the development in detail and in order that the development is commenced in a timely manner, as set out in Section 92 of the Town and Country Planning Act 1990 (as amended).
4. For the avoidance of doubt.
5. To ensure a satisfactory external appearance in accordance with Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Draft Local Plan Part 2.
6. To ensure a satisfactory external appearance and to integrate the development into the surroundings in accordance with Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Draft Local Plan Part 2.
7. No such details were submitted with the application and to ensure a satisfactory form of boundary treatment in accordance with Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Draft Local Plan Part 2.
8. To ensure adequate justification is provided not to use infiltration as the primary form of drainage in accordance with the aims and objectives of Policy 1 of the Aligned Core Strategy (2014).
9. To ensure adequate protection for retained hedges.
10. In order to ensure a satisfactory external appearance and to protect residential amenity in accordance with Policy 10 of the Aligned Core Strategy (2014).
11. To protect the residential amenities of nearby residents from excessive delivery noise.
12. To protect existing residents from excessive plant noise.
13. In order to reduce waste during the operational phase in accordance with Policy 1 of the Aligned Core Strategy (2014).
14. Permission is granted only due to the very special circumstances of the applicant in accordance with Policy E8 of the Local Plan (2004) and Policy 3 of the Aligned Core Strategy (2014).

15. In the interest of highway safety, to ensure adequate pedestrian and vehicular access is provided to serve the development in accordance with Policy 14 of the Aligned Core Strategy (2014).
16. In the interest of highway safety, to ensure adequate parking and turning provision is provided to the proposed development.
17. To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
18. To promote sustainable travel in accordance with Policy 14 of the Aligned Core Strategy (2014).
19. To promote sustainable travel in accordance with Policy 14 of the Aligned Core Strategy (2014).
20. To promote sustainable travel in accordance with Policy 14 of the Aligned Core Strategy (2014).
21. In the interest of highway safety and to protect the amenity of residential areas.
22. To reduce the possibility of deleterious material (loose stones etc) being deposited on the public highway.

**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 communicating with the agent throughout the course of the application and securing revised plans where required.
2. Greasley Footpath 18 abuts the site. This footpath shall not be encroached upon and shall remain open, unobstructed and be kept on its legal alignment at all times. Vehicles shall not be parked on the public right of way or materials unloaded or stored on the public right of way so as to obstruct the path. The safety of the public using the path shall be observed at all times. Structures cannot be constructed on the line of the right of way without the prior authorisation of the Nottinghamshire County Council Rights of Way Team. It should be noted that structures can only be authorised under certain criteria and such permission is not guaranteed.
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.
4. The lighting scheme shall take account of Artificial Lighting and Wildlife Interim Guidance: Recommendations to Help Minimise the Impact of Artificial Lighting in order to ensure the lighting scheme is bat sensitive.

- 5. Where possible consideration should be given to the provision of a range of birds and bat boxes across the site. These may be positioned on suitable retained trees or on new buildings.**
- 6. In order to carry out the off-site works required, you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works, you will need to enter into an agreement under Section 278 of the Act. Please contact the County Highway Authority for details.**

Background papers

Application case file



**Legend**

- Site
- ▬ Local Wildlife Site
- ▬ Byway open to all traffic
- ▬ SSSI
- ▬ Bridleway
- ▬ Green Belt
- - - Footpath