

## Report of the Chief Executive

<b>APPLICATION NUMBER:</b>	<b>22/00678/REG3</b>
<b>LOCATION:</b>	<b>Land at the side of pavilion and accessible toilet facility East of Cadet Centre, Ilkeston Road, Stapleford, Nottinghamshire</b>
<b>PROPOSAL:</b>	<b>Erect Temporary Community Cycle Hub</b>

1. Purpose of Report

The application is brought before Committee as the Council is the landowner and applicant.

2. Recommendation

**The Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix.**

3. Executive Summary

- 3.1. The application seeks planning consent to erect a temporary Community Cycle Hub to the Land at the Side of the Pavilion and Accessible Toilet Facility, East of Cadet Centre, Ilkeston Road, Stapleford.
- 3.2. The main issues relate to whether the principle of development is acceptable, whether the design is acceptable, whether there would be an unacceptable impact on neighbour amenity and whether the proposal would have an unacceptable impact on access (highway safety).
- 3.3. The Committee is asked to resolve that planning consent be granted subject to the conditions outlined in the appendix.

**APPENDIX****4. Details of the application**

- 4.1. The application proposes erecting a temporary Community Cycle Hub on the Land at the Side of the Pavilion and Accessible Toilet Facility, East of the Cadet Centre, Ilkeston Road, Stapleford. The proposed temporary Community Cycle Hub will be operated by Ridewise, will offer cycle repairs, route planning, secure bike storage and will be located adjacent to the existing Community Centre at Ilkeston Road Recreation Ground. The proposal is included as part of the Stapleford Town Deal 'Cycle Network' Business Case.
- 4.2. The proposed temporary Community Cycle Hub will have an overall length of 6.1m, an overall width of 2.4m and will have an overall height of 2.6m. The proposed walls and roof of the temporary Community Cycle Hub will be timber clad – natural pine colour. The windows of the proposed temporary Community Cycle Hub will be single glazed sliding windows with anti-vandal shutters. The door of the proposed temporary Community Cycle Hub will be a metal double security door.

**5. Site and surroundings**

- 5.1. The application site consists of the Land at the Side of the Pavilion and Accessible Toilet Facility, East of the Cadet Centre, Ilkeston Road, Stapleford. In regard to the surrounding area, the Accessible Toilet Facility is located directly adjacent (north-east) of the proposed temporary Community Cycle Hub, the Stapleford Community Centre (Pavilion) is located south-west of the proposed temporary Community Cycle Hub, and retail units which include the Co-operative Food, Subway and Starfish Traditional Fish and Chips are located south-east of the proposed temporary Community Cycle Hub.
- 5.2. Furthermore, Ilkeston Recreation Ground and the Cadet Centre are both located west of the proposed temporary Community Cycle Hub and the adjacent road, Ilkeston Road is located north of the proposed temporary Community Cycle Hub. The adjacent neighbouring properties which includes: 12 Ilkeston Road, 14 Ilkeston Road, 16 Ilkeston Road, 18 Ilkeston Road, 18A Ilkeston Road are all located north of the application site, separated by adjacent road Ilkeston Road.

**6. Relevant Planning History**

- 6.1. No relevant planning history post 1974.

**7. Financial Implications**

- 7.1. There are no additional financial implications for the Council with the costs/income being within the normal course of business and contained within existing budgets. Any separate financial issues associated with S106s (or similar legal documents) are covered elsewhere in the report.

8. Legal Implications

- 8.1. The comments from the Head of Legal Services were as follows: The Legal implications are set out in the report where relevant, a Legal advisor will also be present at the meeting should legal considerations arise.

9. Data Protection Compliance Implications

- 9.1. Due consideration has been given to keeping the planning process as transparent as possible, whilst ensuring that data protection legislation is complied with.

10. Background Papers

- 10.1. Nil.

11. Relevant Policies and Guidance

**11.1. Broxtowe Aligned Core Strategy 2014**

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

- Policy 10 - Design and Enhancing Local Identity.
- Policy 16 – Green Infrastructure, Parks and Open Space.

**11.2. Part 2 Local Plan 2019**

The Council adopted the Part 2 Local Plan on 16 October 2019.

- Policy 17 - Place-making, design and amenity.
- Policy 28 – Green Infrastructure Assets.

**11.3. National Planning Policy Framework (NPPF) 2021**

- Section 2: Achieving Sustainable Development.
- Section 4: Decision-making.
- Section 12: Achieving Well-designed Places.

12. Consultations

- 12.1. Eleven neighbouring properties have been consulted on the application, with the consultation period expiring on 25 October 2022. *The deadline for committee report to be submitted for the November Planning Committee is 12 October 2022, therefore any comment received after this date up until 25 October 2022 will still be considered as part of the application.*

- 12.2. There have been two responses received which were in support of the development proposal. One of the responses received in support of the development proposal also raised the observation that many cars reverse onto

Ilkeston Road and cyclists joining the road need to be aware they are potentially in a blind spot to these cars.

- 12.3. Councillor J Goold, Councillor R D MacRae and Stapleford Town Council were consulted on the application, however, no comments were received.
- 12.4. Parks and Environment – Landscape – No landscaping or implications on the recreation ground as it is on the verge so no comments on that side of things. There should be a condition which states that when the temporary Community Cycle Hub is moved the area will need to be reinstated to a good standard.

13. Assessment

- 13.1. The main issues relate to whether the principle of development is acceptable, whether the impact on Green Infrastructure Asset is acceptable, whether the design is acceptable, whether there would be an unacceptable impact on neighbour amenity and whether the proposal would have an unacceptable impact on access (highway safety).

13.2. **Principle and Impact on Green Infrastructure Asset**

- 13.3. The proposed development includes the erection of a temporary Community Cycle Hub to the Land at the Side of the Pavilion and Accessible Toilet Facility, East of the Cadet Centre, Ilkeston Road, Stapleford. The general principle of a temporary Cycle Community Hub of this size and in this location, is considered acceptable in regard to the existing character of the surrounding area.
- 13.4. Policy 28 of the Broxtowe Local Plan Part 2 states that in all cases listed in part 1, and in the case of school playing fields, permission will not be granted for development that results in any harm or loss to the Green Infrastructure Asset, unless the benefits of development are clearly shown to outweigh the harm. It is considered the proposed temporary Community Cycle Hub will not cause harm and instead will enhance the existing Green Infrastructure Asset of Ilkeston Recreation Ground. This is because the proposed temporary Community Cycle Hub will provide a new sustainable mode of transport to and from Ilkeston Recreation Ground (located west of the temporary Community Cycle Hub) which will increase its usage whilst decreasing the need for unsustainable modes of transport.
- 13.5. In addition to this, the proposed temporary community Cycle Hub will not cause harm to the openness of Ilkeston Recreation Ground. This is because the proposed temporary Community Cycle Hub will be set back significantly from the open space of Ilkeston Recreation Ground, with the existing car park of the application site providing this distance. This is highlighted on the Block Plan and photographs which show that the proposed temporary Cycle Hub will not be located on the Ilkeston Recreation Ground and will be located on the verge adjacent to the existing car park on the application site. Therefore, it is

considered the proposed temporary Community Cycle Hub will not impact the adjacent open space of Ilkeston Recreation Ground.

- 13.6. The addition of the temporary Community Cycle Hub is considered to encourage a sustainable method of transport via cycling, whilst also encouraging the use of Ilkeston Recreation Ground for sustainable uses such as walking, cycling, playing sports etc. Therefore, it is considered the proposed temporary Community Cycle Hub will be an acceptable addition that will have a positive impact on the adjacent Green Infrastructure Asset of Ilkeston Recreation Ground.

13.7. **Design**

- 13.8. Policy 10 of the Aligned Core Strategy states that development will be assessed in terms of massing, scale and proportion, materials and the impact on the amenity of nearby residents or occupiers. Policy 17 of the Part 2 Local Plan 2019 states that extensions should be of a size, siting and design that makes a positive contribution to the character and appearance of the area and does not dominate the existing building or appear over-prominent in the street scene.

- 13.9. It is considered the proposed walls and roof of the temporary Community Cycle Hub will be acceptable, as they will both will be timber clad – natural pine colour. Hence the walls and roof of the Community Cycle Hub will have a consistent character, whilst the timber clad – natural pine colour is considered to fit well into the surrounding area. It is considered the single glazed sliding windows with anti-vandal shutters and metal double security door will be acceptable in regard to the design of the proposed temporary Community Cycle Hub, as they will provide the necessary security needed for the proposal.

- 13.10. It is considered the proposed temporary Community Cycle Hub will not result in a significant impact on the adjacent street scene of Hickings Lane, located north of the application site. This is because the proposed temporary Community Cycle Hub will be set behind the existing Accessible Toilet Facility, hence its impact on the adjacent street scene of Hickings Lane is considered to be minimal.

13.11. **Amenity**

- 13.12. It is considered the proposed temporary Community Cycle Hub will not impact any of the adjacent neighbouring properties in terms of amenity. This is because the proposed temporary Community Cycle Hub will be located a significant distance away from all of the adjacent neighbouring properties, that any impact on the amenity of these properties are very unlikely to occur. This is shown as neighbouring properties 12 Ilkeston Road, 14 Ilkeston Road, 16 Ilkeston Road, 18 Ilkeston Road, 18A Ilkeston Road are all located north of

the application site, separated by adjacent road Ilkeston Road, which provides this significant distance.

- 13.13. In addition to this, the Community Centre, Washington Drive, located south-west of the application site and the Cadet Centre, Ilkeston Road, located west of the application site are again located a significant distance away from the proposed Community Cycle Hub, that any impact upon their amenity is very unlikely. Finally, the retail units located south-east of the application site which include The Co-operative Food (Unit 1) Hickings Lane, Subway (Unit 2) Hickings Lane and Starfish Traditional Fish and Chips (Unit 3) Hickings Lane are also located a considerable distance from the proposed temporary Community Cycle Hub, that any impact upon their amenity is very unlikely.

**13.14. Access (Highway Safety)**

- 13.15. It is considered the proposed temporary Community Cycle Hub will have minimal impact on highway safety to and from the application site, as well as to the adjacent neighbouring properties. This is because the proposed temporary Community Cycle Hub will be located in the south-west corner of the application site, set behind the existing Accessible Toilet Facility and hence a significant distance away from the access point to and from the application site to the north. Furthermore, there is an abundance of parking space available on the application site meaning there should be no issues in regard to parking. The addition of the temporary Community Cycle Hub is also considered to encourage alternative modes of sustainable transport, that will be to the benefit of highway safety.

**13.16. Other Considerations**

- 13.17. There is a trunk water main which runs through the application site, however as shown on the Site Plan, this is not located where the temporary Community Cycle Hub will be situated (south-west corner), it is located on the north access point to and from the application site. Therefore, the addition of the temporary Community Cycle Hub is not considered to impact the trunk water main running through the north section of the application site.

**14. Conclusion**

- 14.1. In conclusion, it is considered the proposed temporary Community Cycle Hub will be acceptable in regard to design, impact on neighbour amenity and impact on highway safety and would have no significant impact on the GIA. As such, it is recommended that planning permission is granted, subject to the conditions set out below.

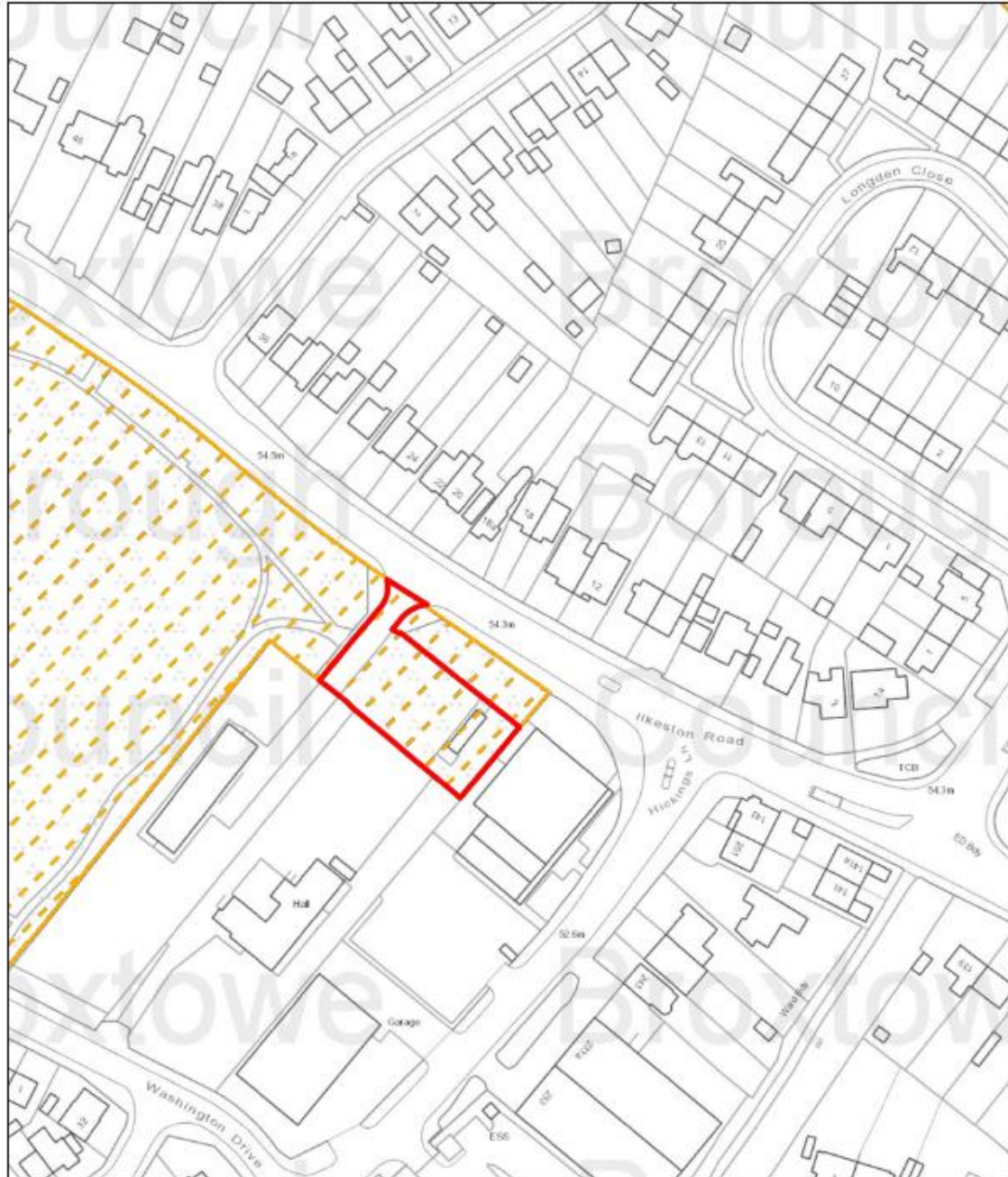
<b><u>Recommendation</u></b>	
<b>The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.</b>	
<b>1.</b>	<p><b>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</b></p> <p><b>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</b></p>
<b>2.</b>	<p><b>The development hereby permitted shall be carried out in accordance with the Site Location Plan (1:1250) received by the Local Planning Authority on 6 September 2022, Proposed Block Plan (1:500) received by the Local Planning Authority on 8 September 2022, Proposed Floor Plan (Drawing Number: 101) received by the Local Planning Authority on 28 September 2022 and Proposed Elevations received by the Local Planning Authority on 29 September 2022.</b></p> <p><b>Reason: For the avoidance of doubt.</b></p>
<b>3.</b>	<p><b>The temporary Community Cycle Hub shall be constructed using materials as noted on the submitted application form received by the Local Planning Authority on 30 August 2022, unless otherwise agreed in writing by the Local Planning Authority.</b></p> <p><b>Reason: To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</b></p>
<b>4.</b>	<p><b>The containers hereby permitted shall be removed and the land restored to its former condition to the reasonable satisfaction of the Council's Parks and Green Spaces team on or before 31 March 2025 so as to accord with the Site Location Plan (1:1250) received by the Local Planning Authority on 6 September 2022.</b></p> <p><b>Reason: The structures are of a temporary nature and their appearance is likely to deteriorate with time, to the detriment of the visual amenities of the area and a more permanent storage solution should be sought long term and in accordance with Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).</b></p>
	<b>NOTES TO APPLICANT</b>

1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	<p>The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.</p> <p>Further information is also available on the Coal Authority website at: <a href="http://www.gov.uk/government/organisations/the-coal-authority">www.gov.uk/government/organisations/the-coal-authority</a></p>



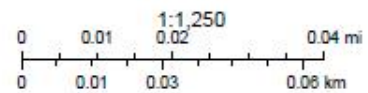
**Site Map**

**22/00678/REG3 - Erect temporary Community Cycle Hub**



10/10/2022, 2:36:42 PM

-  Open Spaces
-  Site



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**Photographs**

Photograph showing where the proposed temporary Community Cycle Hub will be located, adjacent (south-west) of the existing Accessible Toilet Facility, whilst also showing the rear (west) elevation of the adjacent retail units located on Hickings Lane in the background.



Photograph again showing where the proposed temporary Community Cycle Hub will be located, adjacent (south-west) of the existing Accessible Toilet Facility.



Photograph showing the west boundary of the application site, with the Cadet Centre shown in the background, located a significant distance away from the proposed temporary Community Cycle Hub.



Photograph showing the car park of the application site, which will be located north-west of the proposed temporary Community Cycle Hub and provides a significant amount of parking spaces.



Another photograph showing the car park of the application site, which will be located north-west of the proposed temporary Community Cycle Hub, whilst also showing the adjacent road Hickings Lane in the background.



Another photograph showing the existing Accessible Toilet Facility, with the proposed temporary Community Cycle Hub located adjacent (south-west) of the facility.



## Proposed Block Plan

