



Report to Planning Committee 20 April 2023

Business Manager Lead: Lisa Hughes – Planning Development

Lead Officer: Helen Marriott, Senior Planner, ext. 5793

Report Summary			
Application Number	23/00211/FUL		
Proposal	Car Park with 80 spaces, including 16 EVCP's, Solar Shelter Canopies, fencing, barrier, ticket machines and CCTV		
Location	Former Buffer Depot and Driving Test Centre, Bowbridge Road, Newark on Trent		
Applicant	Mr Dennis Roxburgh - Newark and Sherwood District Council	Agent	Mr Leeven Fleet - Jackson Design Associates
Web Link	<a href="#">23/00211/FUL   Car Park with 80 spaces, including 16 EVCP's, Solar Shelter Canopies, fencing, barrier, ticket machines and CCTV.   Former Buffer Depot and Driving Test Centre Bowbridge Road Newark On Trent (newark-sherwooddc.gov.uk)</a>		
Registered	07.02.2023	Target Date	04.04.2023
		Extension of Time	21.04.2023
Recommendation	That planning permission is APPROVED subject to the conditions detailed at Section 10.0		

This application is before the Planning Committee for determination, in accordance with the Council's Constitution, because Newark and Sherwood District Council is the Applicant.

## 1.0 The Site

The site lies within the defined 'Newark Urban Area'. The site comprises part of a former car park area which served a commercial premises that was known as Mekur House (a Former Buffer Depot and Driving Test Centre). The previous buildings on site were of an industrial style but have now been demolished and removed from the site. The site is relatively flat and comprises a mixture of

grass and former hard standing (most of it has become overgrown grass) and is currently enclosed by green coloured hoarding. The wider land on which the former buildings were located, to the north of the application site, is not within the red line boundary of the application and remains vacant. The northern boundary beyond this vacant land comprises close boarded fencing behind which is located recently constructed 2-storey houses.



The western boundary is formed by a timber fence and contains Byron House beyond. Byron House is single storey and contains care facilities used in association with Newark Hospital which is located to the south of the site. The southern boundary of the site (adjacent to the remainder of the hospital complex) is metal palisade fencing. This continues to form the eastern boundary with the road.

To the northeast is the retail development that accommodates the Co-op convenience store, a café and a charity shop together with associated car parking to its frontage and servicing to its rear.

Existing access to the site from Bowbridge Road is shared with the retail scheme and is currently enclosed by high green coloured construction hoarding. There are a number of tree/shrubs located within the site adjacent to the boundary with Bowbridge Road.

On the opposite side of Bowbridge Road to the east are residential terraces and the Magnus secondary school lies to the south-east.

## **2.0     Relevant Planning History**

**11/00301/OUTM** Outline consent for a 60 bed Care Home, including access and associated parking, following demolition of existing warehousing units was granted on 07/04/2011 but has now expired.

**23/00270/FUL** Installation of new Laminar Flow Theatre Unit and associated works (on adjacent Hospital site) – pending consideration.

### **3.0     The Proposal**

The application seeks planning permission for the construction of an 80-space car park for staff / users of Newark Hospital. The parking spaces would be aligned in two main rows adjacent to the north and south boundaries of the site. Sixteen of the spaces would contain Electric Vehicle Charging Points (EVCP's) and five of the spaces would be for disabled parking.

Solar shelter canopies would be located over the southern row of parking spaces. These canopies would have a mono pitch roof supported by columns and measure 3 metres high (max.). Solar panels would be fitted to the top of the roof shelters (to power the EVCP's).

A car park barrier (to enable ticketed entry in and out) would be located to the south of the car park and lead directly into the Newark Hospital site. A 'goal post' style height restriction would be located at the car park entrance. A ticket machine would be located centrally within the site and two 5 metres high CCTV columns are proposed (on the east and west sides of the site).

A 2 metre high green metal mesh fence would be erected along the north and east boundaries of the site. Existing close boarded fencing along the west boundary and palisade fencing along the south boundary would remain.

The car park would be accessed via the existing access points on Boundary Road to the south of the Hospital and Bowbridge Road to the east. Demarked pedestrian walking areas and crossing points into the Hospital site are also proposed.

Plans and documents submitted with this application include:

- 22-2436-LP-(Rev A) Site Location Plan
- 22-2436-(02)-001 P6 Proposed Car Park Layout with Solar Shelter Elevations
- 0001 Topographical Survey
- 22081-EPC-EX-ZZ-DR-E-2800 Rev P03 Proposed External Electrical Services Layout
- 5987-DR-01 Rev P2 Drainage Layout
- DIUK-1423\_01 CCTV Drainage Survey
- Drainage Strategy Rev B August 2022
- Ground Investigation Report June 2022
- Technical Note Version 5 Jan 2023
- Preliminary Ecological Appraisal Jan 2023
- Arboricultural Report and Impact Assessment Jan 2023
- Design and Access Statement Jan 2023
- Written Scheme of Investigation: Archaeological Evaluation June 2022
- Archaeology Evaluation Report July 2022

### **4.0     Departure/Public Advertisement Procedure**

A site notice has been displayed and 28 neighbours have been notified by letter.

Site Visit Date: 09.02.2023

## **5.0     Planning Policy Framework**

### **The Development Plan**

*Newark and Sherwood Amended Core Strategy (Adopted March 2019)*

Spatial Policy 1 - Settlement Hierarchy

Spatial Policy 2 - Spatial Distribution of Growth

Spatial Policy 6 – Infrastructure for Growth

Spatial Policy 7 - Sustainable Transport

Spatial Policy 8 – Protecting and Promoting Leisure and Community Facilities

Core Policy 9 - Sustainable Design

Core Policy 10 – Climate Change

Core Policy 12 – Biodiversity and Green Infrastructure

NAP1 – Newark Urban Area

*Allocations & Development Management DPD*

Policy DM1 - Development within Settlements Central to Delivering the Spatial Strategy

Policy DM5 - Design

Policy DM7 - Biodiversity and Green Infrastructure

Policy DM12 - Presumption in Favour of Sustainable Development

### **Other Material Planning Considerations**

- National Planning Policy Framework
- Planning Practice Guidance

## **6.0     Consultations**

**Newark Town Council** – Support.

**Newark Business Club** – Support.

**NCC Highways** – no objection.

**NCC Lead Local Flood Authority (LLFA)** – no objection.

**NSDC Archaeology Advisor** – no further archaeological input is required.

**NSDC Tree and Landscape Officer** - A full landscaping scheme replacing trees lost anticipating future growth, taking into account CCTV etc required.

**NSDC Environmental Health** – No objection.

**No comments have been received from any interested parties/residents.**

## **7.0 Comments of the Business Manager – Planning Development**

The National Planning Policy Framework (NPPF) promotes the principle of a presumption in favour of sustainable development and recognises the duty under the Planning Acts for planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. The NPPF refers to the presumption in favour of sustainable development being at the heart of development and sees sustainable development as a golden thread running through both plan making and decision taking. This is confirmed at the development plan level under Policy DM12 of the Allocations and Development Management DPD.

### **Principle of Development**

The proposal site is located in Newark, a Sub-Regional Centre, allocated for development in the Core Strategy (adopted 2019) under Spatial Policy 1 and Spatial Policy 2, within which growth is supported. As such, the site is located in a sustainable location for new development.

The provision of additional hospital parking would support and existing community facility in terms of providing additional car park spaces to serve the needs to the hospital and would comply in principle with Spatial Policy 8 of the Development Plan. Consequently, the principle of development is considered acceptable subject to an assessment of all other relevant considerations including site specific constraints and relevant aspects of national policy and the District's development plan. This assessment is set out below.

### **Impact on Visual Amenity and Trees**

Core Policy 9 requires a high standard of sustainable design that protects and enhances the natural environment and contributes to the distinctiveness of the locality and requires development that is appropriate in form and scale to the context. Policy DM5 requires the local distinctiveness of the District's landscape and character of built form to be reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development. Policy DM5 further states that natural features of importance within or adjacent to development sites should, wherever possible, be protected and enhanced.

There are several existing trees and shrubs located adjacent to the site's boundary with Bowbridge Road. The submitted Arboricultural Report and Impact Assessment (Arb Report) identified four individual trees (T2 and T3 - Category C and T1 and T4 - Category U) and two groups of trees (G1 and G2 - Category C) located to the east of the site, adjacent to Bowbridge Road. There is no objection to the loss of the two Category U trees as they are trees that are in such a condition that they cannot realistically be retained in the context of the current land use for longer than 10 years. Category C trees are smaller trees or ones considered to be of low quality. They may have a limited life expectancy or contribute very little to the amenity of the locality. Removal of such trees is not always considered as a constraint to development provided that adequate mitigation can be provided.

As originally submitted, the proposed plans sought to remove G2 but retain trees T2, T3 and G1. However, the submitted Arb Report states that the footprint of the proposed car park would be

Despite the findings in the Arb Report, these trees do still have some amenity value (albeit acknowledged as low) as they provide some screening of the hospital/Co Op from some vantage points when travelling along Bowbridge Road. They also form part of the wider green infrastructure along Bowbridge Road which is tree lined. The nature of the proposed car park means that it could result in a negative visual impact in terms of views from public vantage points (along Bowbridge Rd) in particular. As such, it would have been preferable for the car park to contain a reduced no. of spaces to enable retention of these trees alongside the provision of additional tree/shrub planting. However, it is understood that this is not an option due to a commitment by the Applicant to provide an 80-space car park. For this reason also, it has also not been possible to negotiate additional tree planting/breaks within the car park area itself to break up the large mass of proposed tarmac.

Site plan of the proposed new hospital building. The plan shows a long, rectangular building with a central entrance and two wings. The building is surrounded by a parking lot with 100 spaces. A 'Car Park Access point' is marked. The plan includes various annotations such as 'Signage point', 'Disrupted pedestrian crossing', 'Chaired line accesses', 'Liquid Medical Oxygen Tank', and 'Hospital'. The building is labeled 'Hospital' and 'Sub Sta'. The plan also shows existing structures like 'City 1' and 'City 2'.

The site would be lit and secured with a proposed mesh style boundary treatment which should assist with providing some natural surveillance for the car park. A hedgerow would be planted along the inside of the boundary which would soften views of the proposed development.

Overall, subject to conditions requiring the submission and approval of a landscape scheme and further details of any above ground features e.g. CCTV, it is not considered that the proposed car park would result in any adverse visual amenity impact in accordance with the aforementioned policies.

### Impact on Highways

Spatial Policy 7 indicates that development proposals should be appropriate for the highway network in terms of the volume and nature of traffic generated and ensure the safety, convenience and free flow of traffic using the highway are not adversely affected; and that appropriate parking provision is provided. Policy DM5 of the DPD requires the provision of safe access to new development.

The car park would be leased to the Hospital by Newark and Sherwood District Council. The Hospital currently experience fly parking issues elsewhere across their site, and generally have a large parking demand from both staff, patients and associated visitors. The new car park would be accessed from the internal hospital access road, with a ticket barrier system in operation for entry, and exit. No amendments are proposed to current access arrangements onto Bowbridge Road or Boundary Road. There would be demarcated pedestrian routes which would link with pedestrian provision into the wider hospital site.

The proposed 80 space car park would result in an overall provision of car parking spaces across the Hospital site. The capacity of the existing access points would not be materially altered as a result of the proposed development. The County Highways Officer raises no objection to the application. It is not therefore considered that the proposed development would not result in any adverse highway safety issues in accordance with the requirements of Spatial Policy 7 and Policy DM5 of the DPD.

### Impact on Flood Risk and Drainage

Policy DM5 and Core Policy 9 require that proposals pro-actively manage surface water and Core Policy 10 seeks to mitigate the impacts of climate change through ensuring that new development proposals take into account the need to reduce the causes and impacts of climate change and flood risk. The site is located in Flood Zone 1 (at low risk of fluvial flooding) albeit the site is considered susceptible to surface water flooding (according to Environment Agency mapping).

The submitted Drainage Strategy states that it is proposed to drain the canopies via rainwater downpipes and the car park through permeable paving. These will convey the water to geocellular soakaways constructed below the ground. This method is considered acceptable and is a preferred method of surface water drainage having regard to the hierarchy of drainage options. The submitted Drainage Plan requires updating due to the submission of amended plans during the application process. As such, it is considered that the imposition of a condition in this regard would ensure an acceptable scheme for surface water is submitted to and agreed by the Local Planning Authority.

Overall, the application is considered to be acceptable in accordance with the requirements of Policy DM5 and Core Policy 10.

### Impact on Ecology

Core Policy 12 of the Core Strategy and policy DM7 of the DPD seek to secure development that maximises the opportunities to conserve, enhance and restore biodiversity.



A Preliminary Ecological Appraisal has been submitted with the application. This recommends that native tree planting be incorporated into a landscaping scheme, sensitive lighting should be used and any vegetation removal should take place outside of bird nesting season unless a nesting bird check has first been undertaken by an ecologist. It also confirms that the site (including the trees) has no potential to support protected species including bats.

Overall, subject to conditions and an informative relating to these recommendations, it is not considered that the proposed development would result in any adverse impact on protected species or the biodiversity of the area in accordance with Core Policy 12 and Policy DM5.

#### Impact on Archaeology

Core Policy 14 sets out that the Council will seek to secure the continued preservation and enhancement of the character, appearance and setting of the District's heritage assets and historic environment including archaeological sites. Policy DM9 states that development proposals should take account of their effect on sites and their settings with potential for archaeological interest.

A Written Scheme of Investigation: Archaeological Evaluation and Archaeology Evaluation Report has been submitted with the application. Two trenches have been dug within the application site. One of these trenches contained archaeological features in the form of a ditch and a small gully. The ditch would likely have run along a former field boundary and likely to be post-medieval in date. The date of the gully and use is unknown. Overall, however the site is deemed to have little archaeological potential and the proposal is not considered to result in any adverse impact upon archaeological remains in accordance with Policies CP14 and DM9.

#### Impact on Neighbouring Amenity

Policy DM5 requires development to be acceptable in terms of not having a detrimental impact on residential amenity both in terms of existing and future occupiers.

The submitted lighting scheme requires further amendment due to the subsequent receipt of revised plans and is a matter which can be controlled via planning condition. The Environmental Health Officer raises no objection to the application subject to the submission and approval of an acceptable lighting scheme.

The nearest residential dwellings are located on the opposite side of Bowbridge Road. Given the intervening road and separation distances, it is not considered that the proposed development would result in any adverse residential amenity impacts in accordance with Policy DM5 subject to conditions.

### **8.0 Implications**

In writing this report and in putting forward a recommendation, Officers have considered the following implications: Data Protection, Equality and Diversity, Financial, Human Rights, Legal, Safeguarding, Sustainability, and Crime and Disorder and where appropriate they have referred to these implications and added suitable expert comment where appropriate.



## **9.0 Conclusion**

The principle of development on this site is acceptable and would provide increased car parking provision which is needed to cater for the demand by staff/users of Newark Hospital. Subject to conditions, the proposed car park would not result in any unacceptable impacts upon visual amenity, trees/ecology, highway safety, flood risk or residential amenity. Overall, the proposed development would comply with the Development Plan (the Adopted Amended Core Strategy DPD and Allocations and Development Management DPD) and is recommended for approval subject to the conditions set out below.

## **10.0 Conditions**

01

The development hereby permitted shall not begin later than three years from the date of this permission.

Reason: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

02

The development hereby permitted shall not be carried out except in complete accordance with Drawing Numbers:

22-2436-LP-(Rev A) Site Location Plan;

22-2436-(02)-001 P6 Proposed Car Park Layout with Solar Shelter Elevations (with the exception of landscaping to be approved under Condition 04);

Reason: So as to define this permission.

03

The development hereby permitted shall be constructed entirely of the material details submitted as part of the planning application.

Reason: In the interests of visual amenity.

04

Prior to first use of the development hereby approved full details of hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:

- full details of every tree, shrub, hedge to be planted (including its proposed location, species, size and approximate date of planting) and details of tree planting pits including associated irrigation measures, tree staking and guards, and structural cells. The scheme

shall follow the recommendation set out in Section 6 of the Preliminary Ecological Appraisal (by emec Jan 2023) and be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species;

- full details including dimensions and colour finishes in the form of elevations and/or manufacturers specifications of all above ground minor artefacts and structures for example, CCTV, refuse, solar panels, ticket machines etc.

Reason: In the interests of visual amenity and biodiversity.

05

The approved soft landscaping shall be completed during the first planting season following the first occupation of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees/shrubs which, within a period of seven years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. All tree, shrub and hedge planting shall be carried out in accordance with BS 3936 -1992 Part 1-Nursery Stock-Specifications for Trees and Shrubs and Part 4 1984-Specifications for Forestry Trees; BS4043-1989 Transplanting Root-balled Trees; BS4428-1989 Code of Practice for General Landscape Operations. The approved hard landscaping scheme shall be completed prior to first occupation or use.

Reason: To ensure the work is carried out within a reasonable period and thereafter properly maintained, in the interests of visual amenity and biodiversity.

06

Notwithstanding the submitted details, development shall not commence until a detailed surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the first use of the car park.

Reason: In the interests of providing acceptable surface water management and preventing increased risk of flooding.

07

Notwithstanding the submitted details, prior to first occupation details of any external lighting to be used in the development shall be submitted to and approved in writing by the local planning authority. The details shall include location, design, levels of brightness and beam orientation, together with measures to minimise overspill and light pollution. The lighting scheme shall thereafter be carried out in accordance with the approved details and the measures to reduce overspill and light pollution retained for the lifetime of the development.

Reason: In the interests of biodiversity, visual and residential amenity.

## Informatives

01

This application has been the subject of discussions during the application process to ensure that the proposal is acceptable. The District Planning Authority has accordingly worked positively and pro-actively, seeking solutions to problems arising in coming to its decision. This is fully in accord Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

02

The applicant is advised that all planning permissions granted on or after the 1st December 2011 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website at [www.newark-sherwooddc.gov.uk/cil/](http://www.newark-sherwooddc.gov.uk/cil/)

The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the development type proposed is zero rated in this location.

03

Nesting birds are protected by the Wildlife and Countryside Act 1981 (as amended). It is an offence to intentionally or recklessly kill, injure or take any wild bird; take, damage or destroy its nest whilst in use or being built; and/or take or destroy its eggs. Normally it is good practice to avoid work potentially affecting nesting birds during the period 1<sup>st</sup> March to 31<sup>st</sup> August in any year, although birds can nest either side of this period.

#### BACKGROUND PAPERS

Application case file.

# Committee Plan - 23/00211/FUL



