

<b>Application No:</b>	<b>17/01698/FUL</b>	
<b>Proposal:</b>	<b>Erection of single storey extension</b>	
<b>Location:</b>	<b>Mirical Emblems Ltd., Mansfield Road, Blidworth NG21 0LR</b>	
<b>Applicant:</b>	<b>Mr R Dul</b>	
<b>Registered:</b>	<b>15 September 2017</b>	<b>Target Date: 1 December 2017</b>

**This item is brought to committee as a departure from the Development Plan and the view of the Business Manager that a committee determination is appropriate.**

### The Site

The proposal site is located to the northern edge of Blidworth and is located in the Green Belt. The site is formed by the existing print works which is housed with a building originally built as a Miners Welfare Dance Hall in connection to the colliery at Blidworth. The site has Tippings Wood a Local Nature Reserve to the north, the recreational sports fields to the east and south east and an existing office building to the south/ southwest. To the west is Mansfield Road and an open field with residential development beyond.

### Relevant Planning History

97/50282/FUL - Change of Use of Social Club and Snooker Hall to form workshop for the production of badges – Approved 17 February 1997

02/00595/FUL - Proposed extension to existing facility – Approved 7 November 2002.

10/00961/FUL - Erection of office extension and bin store – Approved 2 September 2017.

### The Proposal

The proposal is for a single storey extension (with smaller single storey link) to the west (front) of the existing printing building. The extension would have maximum dimensions of circa 17m width and 25m depth with an eaves height of circa 3m and a ridge height of circa 5m. The proposed link would be flat roofed and would measure 5.6m in width and 3.6m in depth and would have maximum height of 3.6m taking account of changes in land levels. The proposal would extend toward Mansfield Road and would provide approximately 445 square metres of additional production and design space.

A Preliminary Ecology Survey has been deposited with the application together with an additional supporting statement in relation to the history and operation of the business and employment matters.

## Departure/Public Advertisement Procedure

Occupiers of six properties have been individually notified by letter. A site notice has also been displayed near to the site and the application advertised as a departure. As the proposal falls below 1000 square metres of additional floor space should the application be supported it would only require referral to the Secretary of State if it is considered to result, by reason of its scale or nature or location, to have a significant impact on the openness of the Green Belt.

## **Planning Policy Framework**

### **The Development Plan**

#### **Newark and Sherwood Core Strategy DPD (adopted March 2011)**

Spatial Policy 3: Rural Areas  
Spatial Policy 4A: Extent of Green Belt  
Spatial Policy 4B: Green Belt Development  
Spatial Policy 7: Sustainable Transport  
Core Policy 6: Shaping our Employment Profile  
Core Policy 9: Sustainable Design  
Core Policy 12: Biodiversity and Green Infrastructure  
Core Policy 13: Landscape Character

#### **Allocations & Development Management DPD**

Policy DM5 – Design  
Policy DM8 – Development in the Open Countryside  
Policy DM12 – Presumption in Favour of Sustainable Development

## **Other Material Planning Considerations**

National Planning Policy Framework 2012

National Planning Policy Guidance

The appraisal of the scheme takes into consideration the above planning policy framework and other material considerations.

## **Consultations**

**Blidworth Parish Council** – No objections raised.

**NCC Highways Authority** – The application site is of sufficient size to accommodate this extension, whilst still retaining adequate parking provision. It is stated in the application form that an additional 6 employees are expected as a result of this proposal, which should not impact significantly on the available parking within the site.

Therefore, there are no highway objections to this application.

## **NSDC Conservation Officer-**

### Legal and Policy Considerations

Policies CP14 and DM9 of the Council's LDF DPDs, amongst other things, seek to protect the historic environment and ensure that heritage assets are managed in a way that best sustains their significance. The importance of considering the impact of new development on the significance of designated heritage assets, furthermore, is expressed in section 12 of the National Planning Policy Framework (NPPF).

Paragraph 132 of the NPPF, for example, advises that the significance of designated heritage assets can be harmed or lost through alterations or development within their setting. Such harm or loss to significance requires clear and convincing justification. The NPPF also makes it clear that protecting and enhancing the historic environment is sustainable development (paragraph 7). Additional advice on considering development within the historic environment is contained within the Historic England Good Practice Advice Notes (notably GPA2 and GPA3). In addition, 'Historic England Advice Note 2: making changes to heritage assets' advises that it would not normally be good practice for new work to dominate the original asset or its setting in either scale, material or as a result of its siting. Assessment of an asset's significance and its relationship to its setting will usually suggest the forms of development that might be appropriate. The junction between new development and the historic environment needs particular attention, both for its impact on the significance of the existing asset and the impact on the contribution of its setting.

### Significance of Heritage Asset(s)

Mirical Emblems Ltd is not located in a Conservation Area, but it is on the fringes of a large area within Blidworth identified as nondesignated heritage asset on the Historic Environment Record (HER). This relates to the planned settlement built for workers at Colliery Pit, opened in the late 1920s. Furthermore there are two non-designated heritage assets located within immediate proximity to the application site, a local interest building that formed part of the colliery social apparatus and secondly the remains of a brick kiln to the west of the site. The application site is a modern light industrial unit with no identified heritage values.

### Assessment of Proposal

Conservation does not object to the proposal. There is only a limited consideration of impact on the streetscene, and as such the building, while proposed in non-traditional materials, is not discordant with its surroundings. Furthermore there is no impact on the surrounding non-designated heritage assets, including the brick kiln, the local interest early C20 building or the wider setting of the planned settlement.

In this context, the proposal is not considered to cause harm to the character of the conservation area. The proposal therefore is in accordance with the objective of preservation set out under sections 72, part II of the 1990 Listed Building and Conservation Areas Act, and complies with heritage policies and advice contained within the Council's LDF DPDs and section 12 of the NPPF.

**Nottinghamshire Wildlife Trust-** We are no longer able to provide the level of free ecological planning advice as we have previously, as explained in our letter to your Authority of the 23rd June 2016, so we are focussing our limited time on the most potentially ecologically damaging applications. You will be aware that it is your duty under the NPPF and the NERC Act to ensure that you can determine applications based on a sound understanding of the ecological implications and the adequacy of any proposed mitigation or compensation.

**NCC Ecology Officer** – No response received.

**NSDC Environmental Health Officer** - I refer to the above application and confirm that I have no comments to make.

**NSDC Local Plans Officer** - The application site is entirely located within the Green Belt, and as per national policy inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to any harm to the Green Belt, and those aforementioned 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. The construction of new buildings should be considered as inappropriate, however exceptions to this include the proportionate extension/alteration of existing buildings and the limited infilling or the partial or complete redevelopment of brownfield land (whether redundant or in continuing use) where there is no greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

The original unit was 595 sqm and has subsequently been enlarged by further 400 sqm and 95 sqm extensions (cumulatively a 83.2% increase in its footprint), add in the additional 446 sqm proposed here and this would result in a cumulative 158.2% increase on the footprint of the original unit.

There is no rule of thumb as to what constitutes proportionate expansion, this is unfortunately a matter of judgement, however it does indicate a level of expansion which goes beyond what I consider national policy to envisage. Indeed the expanded operation would be unrecognisable from its original form. Much like in the open countryside there is a level of expansion (individual or cumulative) beyond which it would be reasonable to expect a proposal to relocate to a more suitable location, and in this respect we have allocated a significant amount of employment land including in the west of the District.

Notwithstanding the above the second exception allows for the partial or complete redevelopment of brownfield land where there is no greater impact on openness. The application site is in continuing use, is brownfield in nature and the proposed unit would be facilitated through the redevelopment of a portion of the existing car park. Consequently should you be content that the proposal would not result in any greater impact on the openness than the existing development, and on the purpose of including land within the designation, then the proposal would appear acceptable in Green Belt terms. Whilst openness primarily refers to the absence of development I would accept that there are landscape and visual considerations which contribute towards this. In terms of the footprint of development there would be no greater impact on openness, given that the proposal constitutes the partial redevelopment of the existing hard surfaced car park. Nevertheless you will still need to be content that it would not lead to any greater impact with regard to landscape and visual considerations. In terms of the second element of the test I would not consider that the proposal would have a greater impact than the existing development on the purposes of including land in the Green Belt.

If the proposal does not meet the exceptions to inappropriate development then it would need to represent very special circumstances which clearly outweigh the potential harm to the Green Belt. I would consider 'very special' circumstances to necessarily represent a high threshold, and so by definition successful proposals ought to be rare in nature. Clearly if the bar was to be set too low this could lead to the incremental undermining of the Green Belt. In respect of employment development I would therefore expect the economic benefits to be of such significance that they clearly outweigh the harm to the Green Belt. My own view is that whilst the proposal would

clearly have some localised economic benefit it would still fall well below the level which would represent the very special circumstances outlined in national policy. I am unaware of any other potential considerations which would lead me to a different conclusion.

**NSDC Economic Growth Officer** – details of available alternative accommodation was provided for the applicant to review and comment on and the following assessment of the benefits of the development provided:

Blidworth is an ex mining community with poor public transport links and therefore limited work opportunities for those living in the area without access to a car. On the national index of multiple deprivation it falls within the 25% most deprived wards. The population is approx. 4,500.

There are some areas within Newark and Sherwood that have relatively high rates long-term illness and disability. The highest rate is an area of Blidworth stretching from the end of Burma Road to Dale Lane. This area has one of the 5% highest rates in the country and is ranked 1,599th out of 32,844. Other areas fall within the 10% highest, including two other areas within Rainworth and Blidworth ward area. Therefore any business that can support new employment opportunities, including apprenticeships assists in providing opportunities for those looking for work.

The opportunity to safeguard 48 jobs and create a further 6 which may include an apprentice is crucial in Blidworth, where most businesses employ a small number of people across a range of industry sectors. As Business Manager Economic Growth I support the proposal.

**No representations have been received from local residents/interested parties.**

Comments of the Business Manager

### **Principle of Development – Impact on the Green Belt**

The Allocations & Development Management DPD was adopted in July 2013 and, together with the Core Strategy DPD (Adopted 2011), forms the Development Plan for Newark & Sherwood. The application site is located outside of the village of Blidworth and falls within the Nottingham-Derby Green Belt.

Guidance on the protection and requirements for Green Belt applications is provided with section 9 of the NPPF. Paragraph's 87- 89 are of particular relevance to the proposal.

Paragraph 87 advises "As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances".

Paragraph 88 provides "When considering any planning application, local planning authorities should ensure that substantial weight is 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".

Paragraph 89 advises that:

“local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development”.

In regards to the above I as requested you have provided the details of the development of the site including the floor areas and volumes of the various parts of the building.

As I understand it the original building is as built in 1996 and had a size of 595m<sup>2</sup> floor area and 3200m<sup>3</sup> volume. As such this is our starting point against which the subsequent extensions should be considered.

So taking each in turn the building has been extended:

Phase	Floor Area (m <sup>2</sup> )	Floor area % increase	Cumulative Floor area % increase	Volume (m <sup>3</sup> )	Volume % increase	Cumulative Volume % increase
Phase 1 (Original Building)	595	N/A	N/A	3200	N/A	N/A
Phase 2 (2008)	400	67	67	2000	62.5	62.5
Phase 3 (2011)	95	15	82	345	11	73.5
Proposal	445	75	157	2010	63	136.5

Given the proposal constitutes cumulative additions to the building of an additional 157% above the original floor area or 136.5% above the original volume it would be my opinion that the proposal constitutes a disproportionate addition to the original building.

The Planning Policy response has suggested that the proposal could also be considered under the following criteria “limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development”. Openness is considered to be an absence of built form, in this respect it is considered that the proposal cannot be considered to not impact upon openness.

Given the above I must consider the proposal as inappropriate development in the Green Belt.

Paragraph 88 provides for the next step when inappropriate development has been identified. It allows for development to be supported where there are very special circumstances which outweigh the harm by means of inappropriateness and any other harms identified. It is therefore necessary to apply the tests of the development plan to identify whether any other harms exist and then to establish whether there is a case for very special circumstances which in order to provide sufficient support to enable support of the proposal must outweigh the harm by means of inappropriateness and any other harm identified.

### **Other harm**

#### **Design/Density/Impact on Character of the Area**

Policies CP14 and DM9 of the Council's LDF DPDs, amongst other things, seek to protect the historic environment and ensure that heritage assets are managed in a way that best sustains their significance. The importance of considering the impact of new development on the significance of designated heritage assets, furthermore, is expressed in section 12 of the National Planning Policy Framework (NPPF).

Paragraph 132 of the NPPF, for example, advises that the significance of designated heritage assets can be harmed or lost through alterations or development within their setting. Such harm or loss to significance requires clear and convincing justification. The NPPF also makes it clear that protecting and enhancing the historic environment is sustainable development (paragraph 7). Additional advice on considering development within the historic environment is contained within the Historic England Good Practice Advice Notes (notably GPA2 and GPA3). In addition, 'Historic England Advice Note 2: making changes to heritage assets' advises that it would not normally be good practice for new work to dominate the original asset or its setting in either scale, material or as a result of its siting. Assessment of an asset's significance and its relationship to its setting will usually suggest the forms of development that might be appropriate. The junction between new development and the historic environment needs particular attention, both for its impact on the significance of the existing asset and the impact on the contribution of its setting.

The NPPF states that good design is a key aspect of sustainable development and new development should be visually attractive as a result of good architecture and appropriate landscaping. Core Policy 9 states that new development should achieve a high standard of sustainable design and layout that is of an appropriate form and scale to its context complementing the existing built and landscape environments. Policy DM5 of the DPD states that local distinctiveness should be reflected in the scale, form, mass, layout, design and materials in new development.

In this respect I note that the Conservation Officer confirms that "Mirical Emblems Ltd is not located in a Conservation Area, but it is on the fringes of a large area within Blidworth identified as nondesignated heritage asset on the Historic Environment Record (HER). This relates to the planned settlement built for workers at Colliery Pit, opened in the late 1920s. Furthermore there are two non-designated heritage assets located within immediate proximity to the application site, a local interest building that formed part of the colliery social apparatus and secondly the remains of a brick kiln to the west of the site. The application site is a modern light industrial unit with no identified heritage values".

The existing building is constructed in red brick under profiles metal sheeting roof and that the proposal is to match these materials. The building is located adjacent to the tree cover of the Tippings Wood Local Nature Reserve and has built form to the south as such I do not consider that there would be any appreciable impacts upon the character of the area. The proposal is therefore considered to be acceptable in regards to design, density and impacts upon the character and form of the locality and non designated heritage asset. The proposal is in accordance in this respect with policies CP9 and DM5 of the development plan and the guidance in the NPPF.

### Amenity

The NPPF seeks to ensure a good standard of amenity for all existing and future occupants of land and buildings. Policy DM5 of the DPD states that development proposals should ensure no unacceptable reduction in amenity. New development that cannot be afforded an adequate standard of amenity should also be resisted.

With regards, to scale, massing and location I do not consider that there are likely to be any significant impacts upon amenity of the neighbouring uses. The Council's Environmental Health Officer has been consulted on the proposal and has not raised any concerns in relation to impacts upon neighbouring occupiers level of amenity. It is therefore considered that the proposal is in accordance in this respect with Policy DM5 and the guidance in the NPPF.

### Highways Safety

Spatial Policy 7 of the Core Strategy seeks to ensure that the vehicular traffic generated does not create parking or traffic problems. Policy DM5 of the DPD requires the provision of safe access to new development and appropriate parking provision.

I note that the proposal does not alter the vehicular access location and that the Highways Authority have confirmed that the site would retain sufficient car parking provision. As such I consider that the proposal is acceptable in this respect and in accord with the requirements of Policies SP7 and DM5 of the Development Plan.

### Flooding/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 taking into account the need to reduce the causes and impacts of climate change and flood risk.

The site is not located in an area of increased flood risk however a layout plan should be submitted to include details of proposed drainage of surface water including the use of appropriate surface treatments in highway design in order to comply with Policy DM5.

### Ecology

Paragraph 118 of the NPPF includes that opportunities to incorporate biodiversity in and around developments should be encouraged. Core Policy 12, and development management Policy DM7 seek to ensure proposals conserve and enhance the biodiversity of the District.



The site abuts a local nature reserve at Tippings Wood. On this basis it is considered that there is potential for the site to be used by the local ecology. A Preliminary Ecological Appraisal (PEA) has been carried out. The PEA finds that "Potential impacts of the proposed works are considered to be minimal. There will be loss of a small area of grassland and, as the grassland offers some, albeit extremely limited, habitat for amphibians, including great crested newt, there is some potential for disturbance and/or harm. The survey at 6.1.2 a) adds that it is considered extremely unlikely that a great crested newt would be found within the grassland, mainly due to the large expanse of more suitable habitat available to them within the adjacent LNR. Recommendations are included for precautionary mitigation and appropriate compensation for the loss of the habitat and the PEA provides for mitigation, compensation and enhancement measures. It is considered that, subject to an appropriate condition to ensure that these measures are incorporated into the development, that the proposal is acceptable in regards to protecting and enhancing ecological interest and biodiversity of the site.

#### Assessment of Other Harm

The proposal is not considered to result in any other harm.

#### Case for "Very special circumstances"

The applicant has forward a case for very special circumstances based upon a need for the company to expand to remain competitive in the market and to be able to continue to grow and secure existing and additional employment for the locality. The combined Group employs, as of the end of 2017, a total of 58 people of which 45 are permanently based at Blidworth. The applicant has provided details of the employment profile with the majority of employees being local to the site. The company requires the additional accommodation space to allow for modernisation of their production process and to take advantage of the latest machinery in the printing field. The proposal would result in the immediate addition of 6 employees and allow the company to compete within the industry helping to secure 51 jobs in the locality.

Evidence of a search of other accommodation available within a 10 mile radius of the site has been undertaken with further sites identified by the Council's Economic Development Officer. A 10 mile radius is considered to be a suitable search area and is reasonably justified on the basis that the company has a 10 mile relocation clause within its employee contracts. The search has found a number of potential alternative accommodation units available in the area however on review none of the available units are suitable being either too large or too small in accommodation size or over multiple floors. It is accepted that the business in question has specific accommodation requirements due to its operations having a 50/50 split of office based design and customer care services and also printing operations within the site. Given this and the lack of alternative sites being revealed this is considered to be strong material consideration in requiring expansion.

Notwithstanding the comments of the internal policy officer, which are duly noted, the consultation with the Council Economic Development Officer has revealed strong support for the proposal. The site is located within a severely deprived area falling within 25% of most deprived wards in the country. The site also falls within the 5% highest disability rate in the country. The Economic Development Officer also draws attention to the lack of public transport links and reliance on private motor vehicle as a main mode of transport. In this respect the proposal is well located to the public transport services which Blidworth does possess and is walkable for residents within the settlement. The supporting information indicates that the majority of employees are local with 36% living in Blidworth or Rainworth. The Economic Development Officer goes on to

advise that “The opportunity to safeguard jobs and create a further 6 which may include an apprentice is crucial in Blidworth, where most businesses employ a small number of people across a range of industry sectors”. The response goes on to confirm that as Business Manager Economic Growth they support the proposal. Given the economic climate of Blidworth and the contribution the existing business makes not only to local employment but also with trickle down benefits of local expenditure and economic activity it is considered that in this particular instance great weight can be afforded to both the retention of employment levels and also that increased opportunity for economic growth is to be supported”.

### **Conclusions and Planning Balance**

Paragraph 88 of the NPPF requires “When considering any planning application, local planning authorities should ensure that substantial weight is 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.”

The assessment has identified that the proposal is for development which is considered to be inappropriate within the Green Belt. It has further identified that there are no other harms to the Green Belt and that there is a case for very special circumstances in this particular instance based upon the development being required to allow the company to continue to remain competitive in its marketplace and that this will both secure existing employment and allow for expansion with the addition of 6 new employees. The proposal is supported by the Council’s Economic Development Officer on the basis of the locality being amongst the most deprived in the district and the benefits of job creation and retention for the local economy. It is therefore considered that these economic benefits of the proposal in what is identified as a deprived location are such that that, in this instance, they do amount to very special circumstances which outweigh the harm by means of inappropriateness and that no other harms exist. It is therefore recommended that the application be supported and consent granted for the extension as proposed.

It is not considered that referral to the Secretary of State is required in this instance as the proposal is not considered to result in a significant impact on the openness of the Green Belt as concluded in the assessment of ‘Other Harm’ above.

### **RECOMMENDATION**

**That full planning permission is approved subject to the following condition(s)**

#### **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 the following approved plans:

Proposed Ground Floor Plan Drawing Reference 16554.01 1 of 3  
Proposed elevations Drawing Reference 16554.02 2 of 3 Rev A  
Site Plans Drawing Reference 16554.03 3 of 3 Rev B

unless otherwise agreed in writing by the local planning authority through the approval of a non-material amendment to the permission.

Reason: So as to define this permission.

03

The development hereby approved shall be carried out in accordance with the Mitigation Recommendations and Compensation and Enhancement Recommendations outlined in Section 6 of the Preliminary Ecological Appraisal (PEA) prepared by EMEC Ecology dated November 2017.

Reason: In the interest of conserving and enhancing ecological interest at the site.

04

No development shall be commenced until [details] samples of the materials identified below have been submitted to and approved in writing by the local planning authority. Development shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Bricks  
Roofing Material

Reason: In the interests of visual amenity.

### **Notes to Applicant**

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 accordance with Town and Country Planning (Development Management Procedure) Order 2010 (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.

### **BACKGROUND PAPERS**

Application case file.

For further information, please contact Kevin Robinson on ext 5541.

All submission documents relating to this planning application can be found on the following website [www.newark-sherwooddc.gov.uk](http://www.newark-sherwooddc.gov.uk).

**Matt Lamb**

**Business Manager – Growth & Regeneration**

Committee Plan - 17/01698/FUL

