



NOTTINGHAM CITY COUNCIL
PLANNING COMMITTEE

Date: Wednesday, 23 November 2016

Time: 2.30 pm

Place: Ground Floor Committee Room - Loxley House, Station Street, Nottingham,
NG2 3NG

Councillors are requested to attend the above meeting to transact the following business

Corporate Director for Strategy and Resources

Governance Officer: Catherine Ziane-Pryor **Direct Dial:** 0115 8764298

- 1 APOLOGIES FOR ABSENCE**
- 2 DECLARATIONS OF INTERESTS**
- 3 MINUTES** 3 - 4
Of the meeting held on 19 October 2016 (for confirmation)
- 4 PLANNING APPLICATIONS : REPORTS OF THE CHIEF PLANNER**
 - a 8 SEPARATE PARCELS OF LAND AROUND ARKWRIGHT WALK AND BLACKSTONE WALK NOTTINGHAM** 5 - 28
 - b CITY SEGMENT OF UNIT 2 DABELL AVENUE NOTTINGHAM** 29 - 38
 - c THE PICTURE WORKS 42 QUEENS ROAD NOTTINGHAM** 39 - 46
- 5 NOTTINGHAM LOCAL LIST CRITERIA AND SELECTION PROCESS PROPOSED CRITERIA FOR THE DESIGNATION OF LOCALLY LISTED HERITAGE ASSETS** 47 - 62
Report of the Chief Planner

IF YOU NEED ANY ADVICE ON DECLARING AN INTEREST IN ANY ITEM ON THE AGENDA, PLEASE CONTACT THE GOVERNANCE OFFICER SHOWN ABOVE, IF POSSIBLE BEFORE THE DAY OF THE MEETING

CITIZENS ATTENDING MEETINGS ARE ASKED TO ARRIVE AT LEAST 15 MINUTES BEFORE THE START OF THE MEETING TO BE ISSUED WITH VISITOR BADGES

CITIZENS ARE ADVISED THAT THIS MEETING MAY BE RECORDED BY MEMBERS OF THE PUBLIC. ANY RECORDING OR REPORTING ON THIS MEETING SHOULD TAKE PLACE IN ACCORDANCE WITH THE COUNCIL'S POLICY ON RECORDING AND REPORTING ON PUBLIC MEETINGS, WHICH IS AVAILABLE AT WWW.NOTTINGHAMCITY.GOV.UK. INDIVIDUALS INTENDING TO RECORD THE MEETING ARE ASKED TO NOTIFY THE GOVERNANCE OFFICER SHOWN ABOVE IN ADVANCE.

NOTTINGHAM CITY COUNCIL

PLANNING COMMITTEE

MINUTES of the meeting held in the Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 19 October 2016 from 14.30 - 14.51

Membership

Present

Councillor Chris Gibson (Chair)
Councillor Cat Arnold (Vice Chair)
Councillor Graham Chapman
Councillor Azad Choudhry
Councillor Alan Clark
Councillor Michael Edwards
Councillor Rosemary Healy
Councillor Gul Nawaz Khan
Councillor Sally Longford
Councillor Brian Parbutt
Councillor Andrew Rule
Councillor Wendy Smith
Councillor Malcolm Wood
Councillor Steve Young

Absent

Councillor Josh Cook
Councillor Linda Woodings

Colleagues, partners and others in attendance:

Ann Barrett - Team Leader, Legal and Democratic Services
Rob Percival - Area Planning Manager
Paul Seddon - Chief Planner
Zena West - Governance Officer

38 APOLOGIES FOR ABSENCE

Councillor Josh Cook – work commitments
Councillor Linda Woodings – work commitments

39 DECLARATIONS OF INTERESTS

None.

40 MINUTES

Subject to recording the split of the vote for item 34 – Lace Market Self Serve, London Road, the minutes from the meeting held on 21 September 2016 were agreed as a true record and signed by the Chair.

41 MIRAGE VENUES REDFIELD WAY

Rob Percival, Area Planning Manager, presented the report for application 15/02636/PFUL3 by DLA Architecture Limited on behalf of Oakgate Retail Limited and James Farhad Eftekhar-Khonssar, for planning permission for erection of five A3 units and associated works following the demolition of an existing nightclub.

Amended wording to one of the proposed conditions was provided on an update sheet.

Councillors commented as follows:

- (a) the site has no pedestrian footfall, and is highly dependent on car traffic. A query was raised as the potential for re-use of the buildings if the scheme should fail;
- (b) the design on the units looks to be to a very high standard, and the layout of the carpark in relation to the retail units is positive, as the units partially hide the car park, rather than having a large expanse of parking in front of the units;
- (c) the addition of the living wall is a welcomed addition , and the Planning Department should be commended for steering the application in this direction;
- (d) a query was raised regarding the maintenance for the living wall and the extent to which the design of the plant array would be controlled. It was noted that living walls can have a positive environmental impact on the cooling buildings.

Rob Percival responded to the Councillors' questions as follows:

- (e) from the developers' perspective there is real confidence in this scheme; it has been a long time in the making, and similar schemes have worked well in comparable settings elsewhere. There are existing restaurant units nearby, and the existing leisure offering is very family oriented, so these new restaurants should work well. There is a condition that the units cannot be used for A1, as that would be a concern. The units have been designed for A3, but they are the right size to incorporate mezzanine floors, so they could theoretically be converted to offices if needs be;
- (f) one of the conditions requires details of the planned maintenance and management of the living wall. The developers will be required to submit those details to Planning for approval;
- (g) the inclusion of a living wall may be a first for a planning application to Nottingham City Council, so it is fairly new territory. They are a familiar feature elsewhere, and to an extent there is a degree of preference from the developer in terms of the plant species used. The planning permission will only go so far in agreeing the pattern for the wall, as with all landscaping schemes there wouldn't be micromanagement of the types of plants going in, but rather the permission will secure the inclusion of the living wall. It is a very energy efficient system in terms of cooling. The expertise on living wall standards does not exist in-house, and the success of the wall will largely rely on the inherent self-interest of the developer/tenants.

RESOLVED to:

- (1) grant planning permission, subject to the indicative conditions substantially in the form listed in the draft decision notice within the report, and on the additional information sheet (circulated as an additional document);**
- (2) delegate authority to the Chief Planner to determine the final details of the conditions of the planning permission.**

WARDS AFFECTED: Bridge

Item No:

PLANNING COMMITTEE
23rd November 2016

REPORT OF CHIEF PLANNER

8 Separate Parcels Of Land Around, Arkwright Walk And Blackstone Walk

1 SUMMARY

Application No: 16/01999/PFUL3 for planning permission

Application by: BM3 Architects on behalf of Mr Peter Shambrook

Proposal: Erection of 112 new dwellings, comprising of 78 houses and 34 apartments and associated parking

The application is brought to Committee because it concerns a major development of significant local interest.

To meet the Council's Performance Targets this application should be determined by 12th December 2016

2 RECOMMENDATIONS

GRANT PLANNING PERMISSION subject to the conditions listed in the draft decision notice at the end of this report.

Power to determine the final details of the conditions to be delegated to the Chief Planner.

3 BACKGROUND

- 3.1 This application relates to 8 separate sites in the vicinity of Arkwright Walk and Blackstone Walk in the Meadows, which formerly contained 148 decommissioned dwellings accommodated predominantly in 4 storey "Q Blocks". The "Q Blocks" comprised largely of a mix of 2 and 3 bedroom dwellings (maisonettes) either at ground floor level or with 1st or 2nd floor deck access via stairs. All of the Q Blocks and adjoining or integrated properties have now been demolished.
- 3.2 The first of the application sites sits to the north and south of Kirkwhite Walk, a public access route which connects the northern western part of the Meadows estate with Queens Drive and the Bridgeway Shopping Centre. The other 7 sites are spread along the length of Arkwright Walk to the east.
- 3.3 For some years Arkwright Walk has been blocked as a through route by a section of land which formed the parking and play area for the Crocus Field Children's Home. Planning permission was granted in May 2015 for the relocation of these facilities to allow Arkwright to be re-opened as a through route to pedestrians and cyclists. This work is nearing completion.
- 3.4 The sites are located within an entirely residential area in the north eastern/eastern part of the Meadows. Existing residential dwellings which adjoin the sites are

proposed to be retained. Community facilities such as the Salvation Army citadel, the Bridgeway Methodist Hall, the Riverway Public House, the Meadows Park and St Saviours Church are also interspersed along the length of Arkwright Walk. The Bridgeway Shopping Centre and the Portland Leisure Centre are located to the west of the Walk.

4 DETAILS OF THE PROPOSAL

- 4.1 This is a full planning application submitted by Keepmoat Homes. It seeks permission for redevelopment of the sites to provide 112 dwellings comprising 78 houses (10 x two bedroom, 34 x three bedroom and 34 x four bedroom houses) and 34 x two bed apartments with associated parking and landscaping. The development is a private housing scheme, comprising entirely of properties for sale on the open market.
- 4.2 The majority of the accommodation is for two and three storey, street fronting family housing in short terraces or semi-detached pairs. The other accommodation proposed as part of the scheme comprises two apartment blocks, intended to create a distinctive gateway at the northern end of Arkwright Walk, from Meadow Way. The blocks are proposed to be 4 storey in height and are contemporary in design.
- 4.3 The houses have been designed to have on plot parking with further car parking on street throughout Arkwright walk for both residents and visitors. Communal parking areas have been provided for the apartment blocks.
- 4.4 Kirkwhite Walk is proposed to remain as a pedestrian/cycle route only. Three new access roads off Blackstone Walk and Mainfold Gardens would provide vehicular access to fronting properties.
- 4.5 It is proposed to open up Arkwright Walk to vehicles from Meadow Way to the south, to provide vehicular access to the houses fronting the Walk. It is however not proposed to open up the Walk to vehicular traffic along its entire length. A section of the Walk adjacent to Bridgeway Court, Bridgeway Hall and the Crocus Fields Children's Home would be bollarded and for use by pedestrians and cyclists only. Existing vehicular access along the northern section of the Walk, from Meadows Way, would be retained to serve both new and existing properties at this end.
- 4.6 All mature trees that line Arkwright Walk would be retained and further public realm works are proposed to enhance the street and create traffic calming features.
- 4.7 Both the houses and apartments are proposed in brick, with feature panels of textured projecting brickwork. The houses would have grey tiled roofs. All would comply with Lifetime Homes and Secured by Design standards.
- 4.8 The developer has committed to work with the Council's Employment and Skills team to deliver local employment and training opportunities relating to construction jobs.

5 CONSULTATIONS AND OBSERVATIONS OF OTHER OFFICERS

Adjoining occupiers consulted:

192 neighbours were notified, sites notices were posted and the application was advertised in the local newspaper (final expiry date 02.11.16).

18-22, 46-59, 79-85, 97-104 Salvation Army Halls, Salvation Army House, The Riverway, Crocus Fields Arkwright Walk

49-57 Eugene Gardens Nottingham

17-23, St Saviours Church, Day Centre and Glebe House St Saviours Gardens Nottingham

5 -10, 13-21 Orange Gardens Nottingham

1-14 Ladysmock Gardens Nottingham

9-14 Waldron Close Nottingham

1-4, 5-8, 35-41 Blackstone Walk Nottingham

St John House Queens Walk

20-34 Houseman Gardens Nottingham

33- 45, 69-71 (odd) Manifold Gardens Nottingham

33 Manifold Gardens Nottingham

19, Bridgeway Hall Methodist Mission Bridgeway Centre

The Poets Corner

32- 46 (even) Lammas Gardens Nottingham

1, 14-25 Brookfield Court Nottingham

23, 33-34 Kirkby Gardens Nottingham

7-27 (odd) 13 Bruce Close Nottingham

1-4, 18-31 Bridgeway Court Willersley Drive

5.1 Two representations have been received from New Meadows Tenant's and Resident's Association (NEMTRA), one from the Chair and another from one of its members, who created a small display at the Bridgeway Hall for residents to inspect the plans. Feedback collected from local residents is summarised below.

1. In general, everyone who reviewed the exhibition welcomed the intention to progress the redevelopment of these two areas of the Meadows. The construction of more energy efficient housing was also positively commented on.

2. Comments on the apartments proposed for the north end of Arkwright Walk were generally unfavourable. Visitors to the exhibition described these as 'brutish', 'bland colours' and 'not the iconic gateway to the Meadows we were promised.
 3. Parking for the apartment blocks raised concerns about the safety of the footway between the Poet's Corner public house and Meadows Way. The view was expressed that the parking should have been placed under the building with an exit onto Arkwright Walk, similar to arrangements for apartments on Fletcher Gate in the city.
 4. The house design proposed for Arkwright Walk opposite St Saviours church (sites C and D) is felt to be out of scale and the crenelated effect was seen as slightly disturbing. The house type shown on site G was preferred.
 5. Blackstone Walk (Site A): NEMTRA are surprised that the houses were not fronting onto Queens Walk and were not overlooking the park opposite side, but would have a brick rear garden wall running along it instead. They query the use of three storey buildings and consider they appear out of scale. The proposed section of long wall between plot 11 and 16 creates was seen to form an unattractive frontage to Kirkstone Walk and could be daunting to passers-by due to its closed off appearance.
 6. Concern is expressed that the scheme shows the driveway of one of the properties on Blackstone Walk crossing over part of an area of public realm which contains a raised landscape planter. NEMTRA were given assurances that this community planter would be maintained and developed into a mini community orchard.
 7. NEMTRA thought that Council's aspirations were for the redevelopment of Arkwright Walk to recreate some sense of the 'parade' feel of the original thoroughfare, with the suggestion that retail development could form part of the proposal. NEMTRA note that none of these aspirations have translated into plans, with some visitors commenting that the new properties look very similar to the ones they are intended to replace.
 8. Concerned that many residents do not have computers and do not have necessary skills to track plans.
- 5.2 One further representation has been received from a local resident. They support the design of the houses but reiterate comments raised above about the design of the apartment blocks. As these buildings would greet everyone entering the city, from the South, they consider that the developer should commission a design with attractive angles, balconies and an impression of space and light; not just a solid block edifice.
- 5.3 Nottingham Local Access Forum support the vision of this proposal create user friendly pedestrian routes, to encourage walking and cycling and to promote sustainable living. The Forum welcomes a layout which improves security and surveillance of the public realm, in-line with the design principles of 'Secured by Design'. The proposal complements the ongoing scheme to open up Arkwright Walk.

Additional consultation letters sent to:

Environmental Health and Safer Places: No objection. Require conditions to address potential contamination and the submission of a noise assessment and sound insulation scheme.

Highways: No objection. Recommend conditions requiring the submission of a construction management plan and the implementation of the on site parking, turning and servicing areas. Refer to the need for stopping up public rights of way and areas of public highway.

Environment Agency: No objections.

Housing Strategy: No objection to the proposed redevelopment. Supports the proposed housing type and tenure mix.

Arboricultural Officer: Requires an arboricultural method statement to be submitted which should include a full schedule of pruning to the retained trees. A revised landscaping scheme is also required.

Biodiversity Officer: No objections. Recommend conditions relation to the provision of bird/bat boxes, hedgehog friendly fencing and the need to protect the Meadows Space during the construction period.

6 RELEVANT POLICIES AND GUIDANCE

National Planning Policy Framework (NPPF)

The NPPF advises that there is a presumption in favour of sustainable development and that development which is sustainable should be approved. Paragraph 17 of the NPPF lists the core planning principles that should underpin decision taken on planning applications. Of particular relevance to this application is the need to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, and to contribute to conserving and enhancing the natural environment and support the transition to a low carbon future.

Aligned Core Strategy

Policy A: Presumption in Favour of Sustainable Development - working proactively with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Policy 1: Climate Change

Policy 8: Housing Size, Mix and Choice

Policy 10: Design and Enhancing Local Identity

Policy 17: Biodiversity

Policy 19: Developer Contributions

Nottingham Local Plan (November 2005):

ST1 - Sustainable Communities

H2 - Density

H5 - Affordable Housing

NE10 - Water Quality and Flood Protection

NE3 – Protected Species

NE5 - Trees

NE9 – Pollution

NE12 - Derelict and Contaminated Land

R2 - Open Space in New Development

T3 - Car, Cycle and Servicing Parking

T12- Public rights of way

7. APPRAISAL OF PROPOSED DEVELOPMENT

Main Issues

- (i) Principle of the development and appropriateness of the mix of house types and tenure;
- (ii) Layout and design considerations;
- (iii) Highway considerations;
- (iv) Impact on residential amenity;
- (v) Section 106 matters

(i) Principle of the development and appropriateness of the mix of house types and tenure (NPPF, Policies A, 10 and 8 of the Aligned Core Strategy, Policies ST1, H2, and H5 of the Local Plan)

- 7.1 The application proposes replacement dwellings on cleared sites within an existing residential area, and is therefore acceptable in principle.
- 7.2 The Meadows is undergoing significant change, especially with the introduction of NET lines 2 and 3 the number of flats and maisonettes that have been decommissioned and replaced as part of the city-wide HRA Decommissioning and Redevelopment programme. One of the key issues identified in the Meadows Neighbourhood Plan was the need to broaden the housing offer in the Meadows. In line with this, the sites at Hobart and Pitcairn Close have been successfully developed as mixed tenure housing by Blueprint and the ASRA Housing Group, and Nottingham City Homes have just completed a scheme of 54 new council houses and bungalows around Bosworth Walk in the west of the neighbourhood.

- 7.3 In order to continue to widen the housing offer and help create a more sustainable and balanced community the development of the Arkwright Walk and Blackstone Walk sites are proposed to be homes for market sale. The scheme is being delivered by Keepmoat as a development partner to the City Council, who have therefore steered the type and tenure of the residential units.
- 7.4 In their response to the consultation, NEMTRA have challenged the lack of retail offer as part of the scheme. When tendering for a development partner, the City Council included a requirement for developers to consider the potential for small scale retail/commercial provision, where this would enhance the quality of the scheme and be beneficial to the existing uses in the wider area. It was important that any such provision should not adversely impact on the vitality and viability of the retail offer at the Bridgeway Centre. No tender responses were received, due to the inclusion of this requirement, which, therefore, was subsequently removed. The resulting non-inclusion of any retail element was also in line with previous independent advice commissioned by the Council which concluded that there was little or no interest in the provision of further retail in the area.
- 7.5 The work being undertaken by the Council to reopen Arkwright Walk as a through route to pedestrians and cyclists will recreate the historic link between the city and Trent Bridge. It will also improve accessibility for local residents, encourage footfall and an increased prominence for The Meadows as the southern gateway to the city. Carrying out the work at this time would enhance the new housing developments, maximise their regeneration potential and realise the aspirations of both the Meadows Neighbourhood Plan and the Local Transport Plan.
- 7.6 The NPPF supports the delivery of a wide choice of high quality homes, the widening of opportunities for home ownership and the creation of sustainable, inclusive mixed communities. It states that Local Planning Authorities should plan for a mix of housing and identify the size, type, tenure and range of housing to meet local needs, with affordable housing if required. Commissioned by the City Council the scheme is based on such an assessment, would contribute towards meeting local housing needs, and would be in keeping with the NPPF and the City Council's strategic objectives to create sustainable balanced communities. Additionally, the development is located in a sustainable location, close to local facilities and a range of transport options. The proposal therefore accords with NPPF, Policies A, 10 and 8 of the Aligned Core Strategy, Policies ST1, H2, and H5 of the Local Plan.
- (ii) Layout and design considerations (NPPF, Policy 10 of the Aligned Core Strategy and Policies NE5 and T3 of the Local Plan)
- 7.7 Local Plan policies and the NPPF recognise the importance of design in making places better. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. It also states that decisions should not attempt to impose architectural styles and that great weight should be given to schemes that raise the standard of design in the area.
- 7.8 The scheme overall has been designed to provide active frontages and surveillance over the street and also creates secure private rear gardens. Wherever possible the proposed layout for the redeveloped sites show a 'perimeter block' form of development with continuous street frontages to provide a clear definition between

the public and private realm throughout. The new family dwellings would be two and three storeys in height and a mixture of semi-detached, short terraces and detached units to reflect the context of the surrounding residential properties, yet create its own distinctive character. The proposed layout would significantly improve community safety in the area due to the creation of street frontages and secure rear gardens, when compared to the current layout. Bin stores are primarily proposed to be located in rear gardens but where this is not possible they are accommodated in front gardens.

- 7.9 The design of the dwellings is contemporary and their elevational treatment, together with the palette of materials, would create a clear and cohesive architectural language. The proposed materials for the new houses would be a mix of buff or red brick with a feature panel of textured, projecting brickwork to add further interest. The final details of the materials would be dealt with by condition.
- 7.10 Each dwelling would have a small front garden to be enclosed by brick and metal railings. The rear gardens are largely enclosed by 1.8m high timber fences. In instances where back gardens front on to streets the boundary treatment would be a 1.8m brick wall.
- 7.11 The scheme also proposes a gateway entrance to Arkwright Walk formed by the two apartment blocks at either end. Considerable work has been undertaken with Keepmoat to improve the architectural treatment of the apartment blocks during the pre-application process. The blocks have been designed to be four storey in height to create a presence and focal point at the entrance to the Walk and along Meadows Way, and their design and brick finish reflects the simple contemporary treatment of the new houses. The buildings have been designed with a flat roof, not only to reflect their contemporary design but also ensure their height sits comfortably with neighbouring properties, which are two storey in height with pitched roofs. Projecting bays holding balcony amenity space, together with additional setbacks and projections, aim to enliven their façades and add architectural interest.
- 7.12 Where possible ground floor apartments have been given their own front doors directly onto the street to maximise street activity and surveillance. Internally layouts have been created to maximise space and light and all the apartments are dual aspect. Windows sizes have been maximised with feature full height glazing to living areas. Access cores have been set back and are fully glazed. Feature panels of textured, projecting brickwork have been used to add further interest and break up areas of blank façade, reflecting a feature used in the new housing and to create a consistent theme throughout the development. Keepmoat has proposed the use of a buff brick with contrasting blue grey brick; details of external materials will however be conditioned.
- 7.13 A significant aspect of this regeneration scheme has been the opening up of Arkwright walk as a pedestrian and cycle access route, the enhancement of the public realm along the Walk, together with the protection of Kirkwright Walk as a pedestrian access route only. Streetscape works are proposed along the length of Arkwright Walk that provide a consistent approach to its hard landscaping and street furniture.
- 7.14 An important element of the public realm works has been the retention of the mature trees which line the Walk and define it's character. It is proposed to replace the hardsurfacing surrounding the trees with grass to protect the future health of the

trees and further 'soften' the appearance of the Walk. Additional trees are proposed where trees have been lost. Elsewhere existing trees have been retained, where possible, including the mature horse chestnut tree at the entrance to Kirkwhite Walk from Queens Walk.

- 7.15 Details of tree protection measures, an arboricultural method statement, hardsurfacing and landscaping would be dealt with by condition.
- 7.16 Responses to other comments made by NEMTRA on the design of the scheme are as follows:
- a) Blackstone/Kirkstone Walk (Site A): Consideration was given to the new houses fronting onto Queens Walk. However the presence of large mature trees, which line the Walk, together with existing tram apparatus limited the potential to do so and would create a poor outlook. The importance of creating active streets together with parking to the front of properties dictated the final layout of the properties facing onto the new access instead of Queens Walk.

Where possible new housing has been designed to front onto Kirkwhite Walk. The protection of Kirkwhite Walk for pedestrian use only has however necessitated the creation of new access roads to serve the development and as a result, a small section of the development faces side onto the northern side of the Walk. A brick wall would run along this section of the walk and is proposed to be softened by additional landscaping. Existing and new houses front onto the southern side of the Walk to provide activity and surveillance.

The use of three storey units in this part of the development is currently being reviewed.
 - b) Community Planter Kirkstone Walk: The corner of the planter would be affected by the driveway to unit 2 in Site A. Keepmoat are currently in discussion with NEMTRA on remedial works and improvements to the community planter.
 - c) Footway between the Poet's Corner public house and Meadows Way: For viability, scale and design reasons, the siting of the car parking underneath the northern apartment block is not possible. The car park which sits beside the footpath is proposed to be enclosed by 1.8m metal railings to protect this pedestrian route whilst providing surveillance onto the footpath.
 - d) Sites C and D: Both of these sites were originally proposed to be a terraced of three storey properties with integral garages on the ground floor. This resulted, not only in a lack activity at street level, but also created a bland long frontage facing onto Meadows Park. The opportunity was taken to create a more interesting pattern of development at this point, to enliven the street scene and create differing house styles and heights along the Walk.
- 7.17 Overall the layout and design of the buildings and public realm works are considered to be a positive and well considered response to the sites and their context, in accord with Policy10 of the Aligned Core Strategy and Policies NE5 and T3 of the Local Plan.

(iii) Highway considerations (Policy 10 of the Aligned Core Strategy and Policy T3 of the Local Plan)

- 7.18 The 8 site currently comprise of 148 decommissioned dwellings which are to be replaced by a total of 112 residential units, and as such it is considered that the proposed development would not have a significant impact upon the surrounding highway network in terms of traffic generation and access.
- 7.19 Arkwright Walk is proposed to be opened up to vehicular access to the proposed dwellings, with a turning head provided at the northern end of Arkwright Walk adjacent to site C. There is no vehicular through route proposed, but rather for pedestrians and cyclists only. Vehicles would be prevented from using Arkwright Walk as a through route by appropriately designed and positioned barriers. There is a long term possibility of allowing a local bus service to use Arkwright Walk and the new carriageway has been designed to accommodate this.
- 7.20 Where possible the new housing layout has been designed to provide pedestrian and vehicular access from the front of each new property. The access arrangements have been designed to meet current highway standards. Car parking would be either provided on plot at the front or the side of the dwelling with additional on street parking bays being designed into the new highway layout along Arkwright Walk for residents and visitors. It is proposed that on street car parking would be regulated by a residents' parking scheme which would be separately implemented by the City Council as Highway Authority.
- 7.21 The proposed public realm works to Arkwright Walk would involve surface improvements to provide a consistent palette of materials and introduce further traffic calming measures. All materials used on the highway are proposed to comply with the City Council's "Streetscape Design Manual for Neighbourhoods".
- 7.22 It is considered that the development satisfies the requirements of Policy 10 of the Aligned BE1, BE2 and T3 of the Local Plan.

(iv) Impact on residential amenity (Policy 10 of the Aligned Core Strategy)

- 7.23 The proposed layout has been designed to take into account the existing residential properties which abut the sites, to ensure that there would be no adverse impact upon the amenities of nearby existing residents or future occupants of the new development in terms of light, outlook and privacy. The development would therefore comply with Policy 10 of the Aligned Core Strategy.

(v) Section 106 Matters (Policy H5 and R2 of the Local Plan)

- 7.24 One of the key issues identified in the Meadows Neighbourhood Plan was the need to broaden the housing offer in the Meadows to help create a more sustainable and balanced community. Following the construction of a mixed tenure housing scheme at Pitcairn and Hobart and a development of new council houses and bungalows in the western area of the Meadows, it was determined that the new homes on the Arkwright and Blackstone Walk sites should be homes for market sale, to further broaden the tenure mix. For this reason there is no requirement for the provision of any affordable homes as part of the proposal, which was reflected in the development agreement.

- 7.25 In order to further enhance the regeneration of the area and form a key link into the city, the Council committed significant funds to acquire additional properties (over and above those included in the Housing Revenue Account (HRA) redevelopment programme) and re-open Arkwright Walk as a through route for pedestrians and cyclists, the cost of which was reflected in the development agreement. A thorough and open-book analysis of build costs, anticipated abnormal costs and the sales values that can be achieved show that viability on the scheme is marginal and any requirement for s106 contributions could impact upon the deliverability of the scheme.
- 7.26 This application relates to 8 separate sites of 148 decommissioned dwellings, accommodated predominantly in 4 storey “Q Blocks”. The proposal for 112 new dwellings would therefore result in a net reduction of residential units and in correlation, a reduced burden on existing infrastructure in the area. Of the 122 new properties, 77 are proposed to be 2, 3 and 4 bedroom family houses which would replace 148 properties, the majority of which were 2 and 3 bedroom family homes. Given the net reduction in the number of family homes on the sites, the development would not result in a need for additional increase in educational or public open space requirements for the area.
- 7.27 Additionally, the development agreement includes a requirement for improvements to and the resurfacing of the entire length and width of Arkwright Walk, including the area adjacent to the playground. The scheme includes new seating and measures to ensure that the route could be used by buses in the future, but will not allow for any through vehicular traffic or rat-running.
- 7.28 In light of the above there is considered to be no requirement for S106 contributions.

Other Matters (Policy 1 of the Aligned Core Strategy and Policies T12, NE10 and NE12 of the Local Plan)

- 7.29 The application identifies possible contamination of the sites due to previous uses and details of testing and remediation can be secured by condition. The proposals are therefore in accordance with Policy NE12.
- 7.30 A Flood Risk Assessment has been submitted with the application as some of the sites fall within flood zone 2 and as such, standing advice for more vulnerable development applies. Subject to compliance with the Environment Agencies standing advice, the development would accord with Policy NE10 of the Nottingham Local Plan and Policy 1 of the Aligned Core Strategy.
- 7.31 The proposal will affect existing public rights of way and carriageway, and these will need to be stopped up under the Town and Country Planning Act 1990 to enable the development to be carried out. It is considered that the proposed layout adequately replaces these routes. The proposal will therefore satisfy Policy T12.

8. SUSTAINABILITY / BIODIVERSITY (Policies 1 and 17 of the Aligned Core Strategy and Policies NE3, NE5 and NE14 of the Local Plan)

- 8.1 The proposed development would be constructed using a fabric first approach to provide highly insulated buildings, to reduce energy at source. This would ensure that a 10% reduction in carbon emissions would be exceeded.

8.2 The scheme proposes the retention of the main trees of high amenity value along Arkwright Walk and the planting of further trees.

8.3 Ecological enhancements would be required in accordance with the recommendations of the Biodiversity and Greenspace Policy Officer.

9 FINANCIAL IMPLICATIONS

None.

10 LEGAL IMPLICATIONS

The issues raised in this report are primarily ones of planning judgement. Should legal considerations arise these will be addressed at the meeting.

11 EQUALITY AND DIVERSITY IMPLICATIONS

None.

12 RISK MANAGEMENT ISSUES

None.

13 STRATEGIC PRIORITIES

Neighbourhood Nottingham: Redevelopment of the sites of inappropriate decommissioned/demolished properties with a sustainable residential development.

Working Nottingham: Opportunity to secure training and employment for local citizens through the construction of the development.

Safer Nottingham: The development is designed to contribute to a safer and more attractive neighbourhood.

14 CRIME AND DISORDER ACT IMPLICATIONS

The scheme will provide improved surveillance and community safety in the area.

15 VALUE FOR MONEY

None.

16 List of background papers other than published works or those disclosing confidential or exempt information

1. Application No: 16/01999/PFUL3 - link to online case file:

<http://publicaccess.nottinghamcity.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OCRFFULYG2300>

2. Environmental Health and safer Places comments 05.10.16.

3. Comments from a resident of Arkwright Walk 12.10.16.

4. Comments from a resident of Goldswong Terrace 19.10.16.

5. Highways comments 20.10.16.

6. Comments from the Chair of NEMTRA 20.10.16.

7. Comments from a member of NEMTRA 24.10.16.

8. Environment Agency comments 26.10.16.
9. Tree Officer comments 31.10.16.
10. Biodiversity Officers comments 10.11.16

17 Published documents referred to in compiling this report

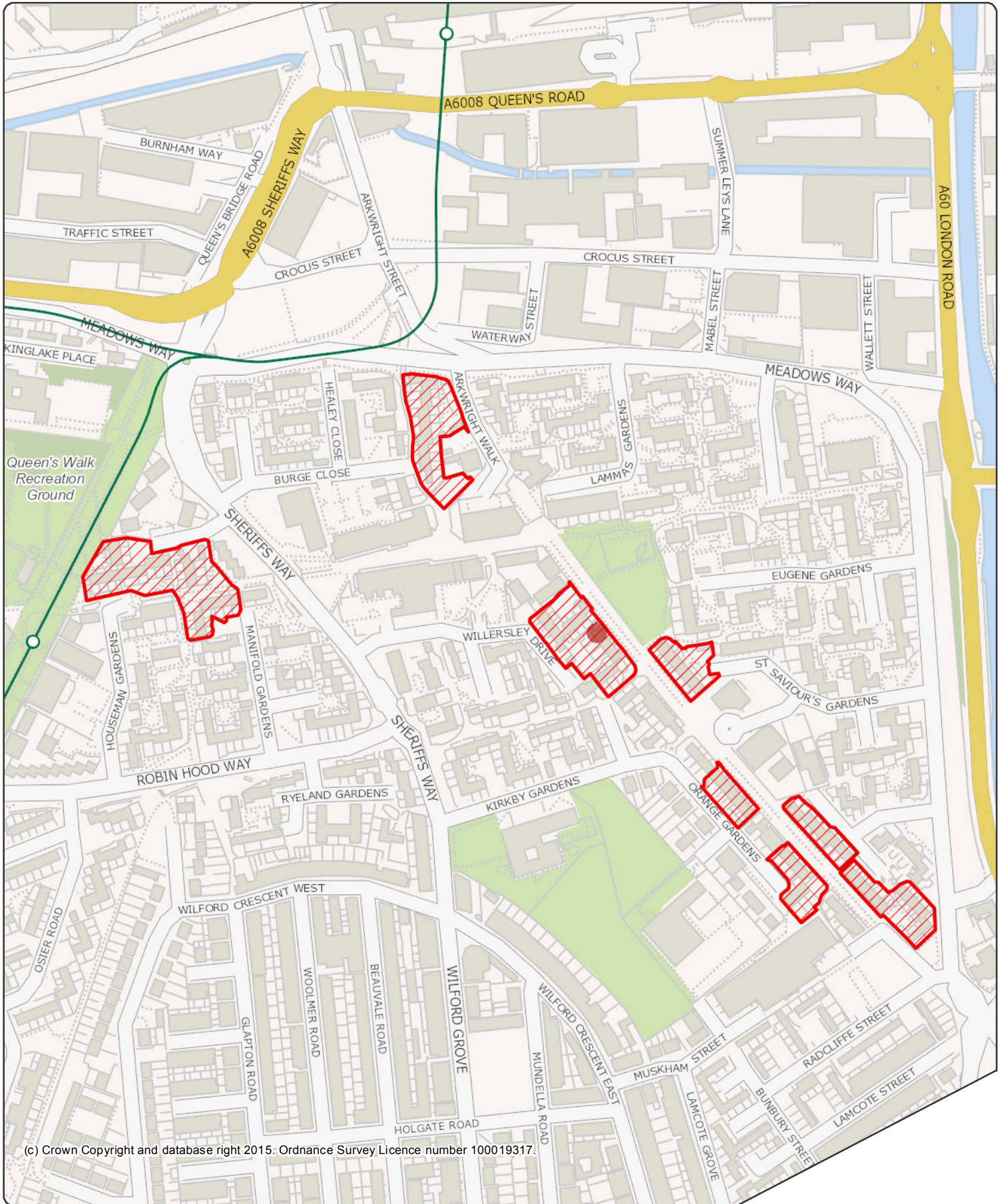
Nottingham Local Plan (November 2005)

Contact Officer:

Mrs Jo Briggs, Case Officer, Development Management.



Email: joanna.briggs@nottinghamcity.gov.uk. Telephone: 0115 8764041

NOMAD printed map

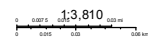


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Key

-  City Boundary
-  Planning Application Polygons

Nomad web map printed by a Nomad user at 08:32, 15/11/2016



Description

No map description

My Ref: 16/01999/PFUL3 (PP-05409992)
Your Ref:
Contact: Mrs Jo Briggs
Email: development.management@nottinghamcity.gov.uk



**Nottingham
City Council**

Development Management
City Planning
Loxley House
Station Street
Nottingham
NG2 3NG

Tel: 0115 8764447
www.nottinghamcity.gov.uk

BM3 Architects
Mr Zahid Khan
28 Pickford Street
BIRMINGHAM
B5 5QH
England

Date of decision:

**TOWN AND COUNTRY PLANNING ACT 1990
APPLICATION FOR PLANNING PERMISSION**

Application No: 16/01999/PFUL3 (PP-05409992)
Application by: Mr Peter Shambrook
Location: 8 Separate Parcels Of Land Around, Arkwright Walk And Blackstone Walk, Nottingham
Proposal: Erection of 112 new dwellings, comprising of 78 houses and 34 apartments and associated parking

Nottingham City Council as Local Planning Authority hereby **GRANTS PLANNING PERMISSION** for the development described in the above application subject to the following conditions:-

Time limit

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Pre-commencement conditions

(The conditions in this section require further matters to be submitted to the local planning authority for approval before starting work)

2. The development hereby permitted shall not be commenced until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Arboricultural Method Statement shall specify measures to be put in place for the duration of construction operations to protect the existing trees that are shown to be retained on the approved plans.

Reason: To ensure that existing trees are safeguarded during construction in accordance with Policy NE5 of the Local Plan.



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Nottingham
A city we're all proud of

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Continued...

3. The tree protection measures detailed in the approved Arboricultural Method Statement shall be put in place prior to the commencement of the development hereby permitted, and retained for the duration of construction operations. The development shall be carried out in accordance with any ongoing requirements set out in the approved Arboricultural Method Statement.

Reason: To ensure that existing trees are safeguarded during construction in accordance with Policy NE5 of the Local Plan.

4. No development or site preparation works shall be carried out on the site until details of a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period for the development and shall provide for:

- a) Details of the type, size and frequency of vehicles to/from the site and haul routes (if any);
- b) The parking of vehicles of site operatives and visitors;
- c) Loading and unloading of plant and materials;
- d) Storage of plant and materials used in constructing the development;
- e) Wheel washing facilities, if necessary;
- f) Measures to control the emission of dust and dirt during construction;
- g) Site security;
- h) Measures to prevent the deposit of debris on the highway
- i) Details for the protection of the Meadows park during the construction period and;
- j) A timetable for its implementation.

Reason: To avoid prejudice to traffic conditions within the vicinity of the site and to safeguard the amenities of neighbouring residents to comply with Policy 10 of the Aligned Core Strategy and Policy NE9 of the Local Plan.



5. Prior to the commencement of the development, a Remediation Strategy that includes the following components to deal with the risks associated with ground, groundwater and ground gas contamination of the sites, shall be submitted to and be approved in writing by the Local Planning Authority:
- a) A Preliminary Risk Assessment which has identified:
 - i) all previous site uses
 - ii) the nature and extent of potential contaminants associated with those uses
 - iii) the underlying geology of the site
 - iv) a conceptual model of the site indicating sources, pathways and receptors
 - v) potentially unacceptable risks arising from ground, groundwater and ground gas contamination at the site.
 - b) A Site Investigation, based on a) above, and a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - c) A Remediation Plan, based on a) and b) above, giving full details of the remediation measures required and how they are to be undertaken (including a contingency plan for dealing with any unexpected contamination not previously identified in the Site Investigation).
 - d) A Verification Plan providing details of the data that will be collected in order to demonstrate that the works set out in c) above are complete.

The Remediation Strategy shall be carried out in accordance with the approved details unless varied with the express written approval of the Local Planning Authority.

Reason: In the interests of the health and safety of the occupiers of the development in accordance with Nottingham Local Plan Policy NE12.



6. The development shall not commence until, an environmental noise assessment and sound insulation scheme has been submitted to and be approved in writing by the Local Planning Authority.

The environmental noise assessment shall include the impact of any local events, transportation noise, noise from people on the street and be carried out whilst any premises and/or activities in the vicinity that are likely to have an adverse effect on noise levels are operating. In addition it shall include predicted noise levels for any plant and equipment which will form part of the development, octave band analysis and all assumptions made (e.g. glazing and façade areas).

The sound insulation scheme shall include the specification and acoustic data sheets for glazed areas of the development and any complementary acoustical ventilation scheme and be designed to achieve the following internal noise levels:

- i. Not exceeding 30dB LAeq(1 hour) and not exceeding NR 25 in bedrooms for any hour between 23.00 and 07.00,
- ii. Not exceeding 35dB LAeq(1 hour) and not exceeding NR 30 for bedrooms and living rooms for any hour between 07.00 and 23.00,
- iii. Not more than 45dB L_{Amax}(5 min) in bedrooms (measured with F time weighting) between the hours of 23.00 and 07.00,
- iv. Not more than 50dB LAeq(1 hour) for garden areas (including garden areas associated with residential homes or similar properties).

Reason: To protect the living conditions of occupiers and neighbours in accordance with Policy 10 of the Aligned Core Strategy and Policy NE9 of the Local Plan.

7. Prior to the commencement of development, full details of external materials for the buildings, including samples, large scale elevation and cross sections, details of windows reveals and eaves treatment, shall be submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be carried out in accordance with the approved materials.

Reason: In order to ensure an appropriate quality of finish to the approved development and in accordance with Policy 10 of the Aligned Core Strategy.

8. The development shall not be commenced until details of the hard surfacing of all external areas have been submitted to and agreed in writing with the Local Planning Authority.

The development shall then be carried out in accordance with the approved details.

Reason: In the interests of the appearance of the development and in accordance with the aims of Policy 10 of the Aligned Core Strategy.

9. Notwithstanding the submitted plans, the development shall not commence until details of boundary treatments and enclosures to the site and plot boundaries shall be submitted to and approved in writing by the Local Planning Authority.

The development shall then be carried out in accordance with the approved plans.

Reason: To ensure a high quality development in accordance with Policy 10 of the Aligned Core Strategy.

10. The development shall not be commenced until all drainage details have been submitted to and approved in writing by the Local Planning Authority.

The provision shall reduce peak surface water run-off by 30% relative to the site's previous use and shall prevent the unregulated discharge of surface water to the public highway. This provision shall then be retained for the life of the development.

Reason: To ensure that the development is provided with a satisfactory means of drainage, to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with Aligned Core Strategy Policy 1 and Local Plan Policy NE10.

11. The development shall not be commenced until a landscaping scheme for the site, including details of the street trees, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type, height, species and location of the proposed trees, the tree pits/trenches and aeration pipes and, a timetable for the implementation of the scheme. Thereafter the landscaping scheme shall be carried out in accordance with the approved details and timetable. Any trees or plants which die, are removed or become seriously damaged or diseased within a period of five years shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of the appearance of the development in accordance with Policy 10 of the Aligned Core Strategy.

Pre-occupation conditions

(The conditions in this section must be complied with before the development is occupied)

12. The proposed alterations to the public highway shall be completed in accordance with design details, including a timetable for their completion, that have first been submitted to and approved in writing by the Local Planning Authority.

The development shall then be carried out in full accordance with the approved highway works.

Reason: In the interests of highway safety and in accordance with Policy 10 of the Aligned Core Strategy.

13. No part of the development shall be occupied until a scheme for the inclusion of bird/ bat boxes and hedgehog friendly fencing within the development has been implemented, insofar as it relates to each property, in accordance with details that shall first have been submitted to and agreed in writing with the Local Planning Authority. The scheme shall include details of the type, number and position of the bird/ bat boxes and hedgehog friendly fencing.

Reason: In the interests of nature conservation in accordance with Policy NE3 of the Local Plan and Policy 17 of the Aligned Core Strategy.



14. Prior to first occupation of the development, the following shall be submitted to and be approved in writing by the Local Planning Authority:

a) A Verification Report, which shall include the data referred to in the Verification Plan, to demonstrate that the approved Remediation Strategy to deal with ground gas contamination of the site has been fully implemented and completed.

b) A Verification Report, which shall include the data referred to in the Verification Plan, to demonstrate that the approved Remediation Strategy to deal with ground and groundwater contamination of the site has been fully implemented and completed.

Reason: In the interests of the health and safety of the occupiers of the development in accordance with Nottingham Local Plan Policy NE12.

15. Prior to first occupation of the development, verification that the approved sound insulation scheme has been implemented and is fully operational shall be submitted to and be approved in writing by the Local Planning Authority.

Reason: To protect the living conditions of occupiers and neighbours in accordance with Policy 10 of the Aligned Core Strategy and Policy NE9 of the Local Plan.

16. Prior to the first occupation of any of the dwellings hereby approved all parking spaces shall be provided with minimum dimensions of 2.4m x 5.5m and laid with permeable surface construction.

Reason: In the interests of Highway Safety and sustainable development in accordance with Policies 1 and 10 of the Aligned Core Strategy.

Regulatory/ongoing conditions
 (Conditions relating to the subsequent use of the development and other regulatory matters)

17. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To protect the underlying aquifers from contamination from the land raising activity that occurred at the site previously in accordance with Policy NE12 of the Local Plan.

Standard condition- scope of permission

S1. Except as may be modified by the conditions listed above, the development shall be carried out in complete accordance with the details described in the forms, drawings and other documents comprising the application as validated by the council on 28 October 2016.

Reason: To determine the scope of this permission.

Informatives

1. The reason for this decision, and a summary of the policies the local planning authority has had regard to are set out in the committee report, enclosed herewith and forming part of this decision.

2. This permission is valid only for the purposes of Part III of the Town & Country Planning Act 1990. It does not remove the need to obtain any other consents that may be necessary, nor does it imply that such other consents will necessarily be forthcoming. It does not override any restrictions contained in the deeds to the property or the rights of neighbours. You are advised to check what other restrictions there are and what other consents may be needed, for example from the landowner, statutory bodies and neighbours. This permission is not an approval under the Building Regulations.

3. Contaminated Land, Ground Gas & Groundwater

The Remediation Strategy (including its component elements) must be undertaken and implemented in accordance with Defra and the Environment Agency's guidance 'Model Procedures for the Management of Land Contamination, CLR 11' and other authoritative guidance. The Remediation Strategy must also provide details of:

- 'Cut and fill' operations on site
- How trees retained on site will be dealt with
- How gas precautions including any radon gas precautions will be validated
- Any asbestos surveys carried out, the method statement for removal of asbestos and subsequent validation of air and soil following asbestos removal and demolition.

Following completion of the development, no construction work, landscaping or other activity must be undertaken which may compromise the remediation measures implemented to deal with ground, groundwater and ground gas contamination of the site.

Any ground gas protection measures included in the original development are designed for the buildings as originally constructed to protect against possible dangers to public health and safety arising from any accumulation of methane, carbon dioxide or other gas and to ensure that the site can be developed and used without health or safety risks to the occupiers of the development and/or adjoining occupiers. These protection measures may be compromised by any future extension of the footprint of the original building or new building structures within the curtilage of the site including the erection of a garage, shed, conservatory or porch or similar structure. Advice from the Council's Environmental Health Team regarding appropriate gas protection measures must be sought should future extension of the footprint of the original building or new building structures within the curtilage of the site be proposed (regardless of whether the proposed construction requires planning permission or building regulation approval).

It is a requirement of current Building Regulations that basic radon protection measures are installed in all new constructions, extensions conversions & refurbishments on sites which are Radon Class 3 or 4 and full radon protection measure are installed on site which are Radon Class 5 or higher. Advice from the Council's Environmental Health Team regarding appropriate gas protection measures must be sought where there are both radon issues and ground gas issues present.

The responsibility and subsequent liability for safe development and secure occupancy of the site rests with the developer and/or the landowner. The developer is required to institute a thorough investigation and assessment of the ground conditions, nature and degree of contamination on the site to ensure that actual or potential risks to public health and safety can be overcome by appropriate remedial, preventive or precautionary measures. The developer shall provide at his own expense such evidence as is required to indicate clearly that the risks associated with ground, groundwater and ground gas contamination of the site has been addressed satisfactorily.

4. Environmental Noise Assessment

The environmental noise assessment shall be suitable and sufficient, where appropriate shall consider the impact of vibration, and shall be undertaken by a competent person having regard to BS 7445: 2003 Description and Measurement of Environmental Noise and any other appropriate

British Standards. The internal noise levels referred to are derived from BS 8233: 2014 Sound Insulation and Noise Reduction for Buildings.

The approved sound insulation scheme must be maintained &, in the case of mechanical ventilation, must be maintained, serviced and operated in accordance with manufacturer's recommendations.

5. Highways advice is as follows:

1) It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring. If the development works will have any impact on the public highway, please contact Highways Network Management on 0115 876 16/01999/PFUL3 (Arkwright Walk Blackstone Walk) 19th October 2016 5238 or by email at highway.management@nottinghamcity.gov.uk. All associated costs will be the responsibility of the developer.

2) The Highways Network Management team at Loxley House must be notified regarding when the works will be carried out as disturbance to the highway will be occurring and licences may be required. Please contact them on 0115 8765238. All costs shall be borne by the applicant.

3) Planning consent is not consent to work on the highway. To carry out off-site works associated with the planning consent, approval must first be obtained from the Local Highway Authority. Approval will take the form of a Section 278 Agreement and you should contact Highways Network Management on 0115 8765293 to instigate the process. It is strongly recommended that you make contact at the earliest opportunity to allow time for the process to be completed as you will not be permitted to work on the Highway before it is complete. All associated costs will be borne by the developer. We reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway.

4) Section 38. The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority, the new roads and any highway drainage will be required to comply with the Nottingham City Council's current highway design guidance and specification for roadworks.

The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible. It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the City Council in writing before any work commences on site. For further information please contact Network Management on 0115 876 5293.

5) The Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. All trees to be planted on highway will be subject to commuted sum payments for their maintenance. The commuted sum for a street tree is £938.61 per tree which is in line with the 6Cs Regional Design Guide. Trees that will have a dual purpose as use for drainage will incur greater costs. For further information regarding the collection of commuted sums the applicant should contact Network Management on 0115 876 5293.



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6) The applicant should investigate the introduction and implementation of traffic regulation orders on the adjacent highway network, such as a 20mph speed order, to the residential development with all costs borne by the applicant. Any temporary traffic regulation orders required for the site development will also have to be implemented and paid for by the applicant.

The highway authority recommend that where proposed properties (with parking) front onto the permit parking schemes (or extended schemes) they are deemed ineligible for parking permits. A method for controlling the proposed lay-by parking on Arkwright Walk will need to be carefully considered as will parking in any publically accessible area (whether highway or not).

The highway authority would want the construction and layout of Arkwright Walk to be reviewed in relation to TROs, in terms of increased vehicle use and the prevention of unwarranted vehicle access. The current footpath link located adjacent to Brookfield Court (north-west corner of proposals), will need protecting against unwanted vehicle use over the short length that will not be accessible to vehicles or this could become an issue

For TRO advice and further information the applicant is advised to contact Scott Harrison on 0115 8765245.

6. Flood Risk

All 8 proposed redevelopment sites are within Flood Zones 1 and 2. As such, standing advice for more vulnerable development applies.

In order to support Nottingham City Council in applying standing advice and ensuring ground finished floor levels are set a minimum of whichever is higher of 00millimetres above the general ground level of the site or 600mm above the estimated river or sea flood level, we have provided modelled flood levels for the various sites below. Please note, Flood Risk Assessment climate change allowances guidance was updated in February 2016, and as such a range of allowances should now be considered.

For more vulnerable development in Flood Zone 2, the central and higher central allowances should be considered to assess a range of scenarios (i.e. 20% and 30% peak flows above the 1 in 100 year or 1% annual exceedance probabilities).

Modelled flood heights relevant to these sites are as follows:

Site A: 100 year 20% = 25.39mAOD

100 year 30% = 25.50 mAOD

Site B: 100 year 20% = 25.36 mAOD

100 year 30% = 25.47 mAOD

Site C: 100 year 20% = site is dry

100 year 30% = 25.46 mAOD

All other sites are dry in the above two modelled events.

Where a condition specified in this decision notice requires any further details to be submitted for approval, please note that an application fee will be payable at the time such details are submitted to the City Council. A form is available from the City Council for this purpose.

Your attention is drawn to the rights of appeal set out on the attached sheet.



RIGHTS OF APPEAL

Application No: 16/01999/PFUL3 (PP-05409992)

If the applicant is aggrieved by the decision of the City Council to impose conditions on the grant of permission for the proposed development, then he or she can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Any appeal must be submitted within six months of the date of this notice. You can obtain an appeal form from the Customer Support Unit, The Planning Inspectorate, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Phone: 0117 372 6372. Appeal forms can also be downloaded from the Planning Inspectorate website at <http://www.planning-inspectorate.gov.uk/pins/index.htm>. Alternatively, the Planning Inspectorate have introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal - see www.planningportal.gov.uk/pes.

The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay.

The Secretary of State need not consider an appeal if the City Council could not for legal reasons have granted permission or approved the proposals without the conditions it imposed.

In practice, the Secretary of State does not refuse to consider appeals solely because the City Council based its decision on a direction given by him.

PURCHASE NOTICES

If either the City Council or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. This procedure is set out in Part VI of the Town and Country Planning Act 1990.

COMPENSATION

In certain limited circumstances, a claim may be made against the City Council for compensation where permission is refused or granted subject to conditions by the Secretary of State. The circumstances in which compensation is payable are set out in Section 114 of the Town & Country Planning Act 1990.



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WARDS AFFECTED: Bulwell

Item No:

PLANNING COMMITTEE
23rd November 2016

REPORT OF HEAD OF DEVELOPMENT MANAGEMENT AND REGENERATION

City Segment Of Unit 2, Dabell Avenue

1 SUMMARY

Application No: 16/01856/PFUL3 for planning permission

Application by: Savills on behalf of Red Kangaroo

Proposal: Change of use to trampoline park (D2).

The application is brought to Committee because if approved, the decision would result in a significant departure from the policies of the Development Plan.

To meet the Council's Performance Targets this application should have been determined by 11th October 2016.

2 RECOMMENDATIONS

GRANT PLANNING PERMISSION subject to the conditions listed in the draft decision notice at the end of this report.

Power to determine the final details of the conditions to be delegated to the Chief Planner.

3 BACKGROUND

3.1 The application relates to an industrial unit located within the Blenheim Industrial Estate. The site straddles the administrative boundary between Nottingham City Council and Broxtowe Borough Council, with the northern portion of the site falling within the City Council's jurisdiction and approximately 25% of the building falling within the City. The building stands adjacent to the west site boundary and has a sizeable car park to the east.

3.2 The surrounding buildings are industrial in character being located within the Blenheim Industrial estate. The nearest residential properties are located at a distance of approximately 220m to the south east on Sellers Wood Drive.

3.3 The unit has been vacant for approximately 2 years and has been marketed for employment use since November 2013. The application is accompanied by evidence of the marketing and enquiry history.

4 DETAILS OF THE PROPOSAL

Permission is sought to change the use of the premises to an 'indoor trampoline park'. The use falls within Class D2 of the Use Classes Order. No changes to the

exterior of the building are proposed, other than the proposed signage which is subject of application reference 16/01857/ADV2 for Advertisement Consent.

5 CONSULTATIONS AND OBSERVATIONS OF OTHER OFFICERS

Adjoining occupiers consulted:

Units 4,5 and 8 Centurion Business Park, Dabell Avenue
Unit 1 Dabell Avenue
Natgraph Ltd, Dabell Avenue

The application has also been advertised as a departure from the Local Plan by site notice and press notice.

The consultation period expires on 30th November 2016.

Two representations expressing support for the application have been received from neighbouring industrial premises on Dabell Avenue.

One letter of objection to the proposed development has been received on behalf of Intu Properties Plc. The following objections were raised:

- the sequential assessment provides insufficient information to demonstrate the application site is the preferred location for this proposed main town centre use
- the assessment of potential impact does not consider the impact on existing, committed and planned investment in Nottingham City Centre, including at Intu Broadmarsh.

The applicants have submitted a letter in response to the above objections, expanding upon their sequential test and considering available sites within the City Centre.

Additional consultation letters sent to:

Pollution Control: No objection.

Highways: No objection. Condition requiring transport plan recommended.

Broxtowe Borough Council: No objection. The site is not allocated within the Broxtowe Borough Council Local Plan. The Authority is minded to grant planning permission for the proposed change of use.

6 RELEVANT POLICIES AND GUIDANCE

National Planning Policy Framework:

- 6.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policies. While planning applications still need to be determined in accordance with the development plan unless material planning considerations indicate otherwise, the NPPF is a material consideration in the assessment of this application.
- 6.2 Paragraph 22 states that planning policies should avoid the long term protection of

sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

- 6.3 Paragraph 24 states that local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.

Nottingham Local Plan (November 2005):

E3 - Major Business Parks/Industrial estates.

Aligned Core Strategy 2014

Policy 4: Employment Provision and Economic Development

Policy 6: Role of Town and Local Centres

Policy 10: Design and Enhancing Local Identity - new development should be designed to create an attractive, safe, inclusive and healthy environment.

7. APPRAISAL OF PROPOSED DEVELOPMENT

Main Issues

Whether the development will:

- (i) Impact upon employment provision at the Blenheim Industrial Estate
- (ii) Impact upon the role of town and local centres.
- (iii) Create an attractive, safe, inclusive and healthy environment.

Issue (i) Impact upon employment provision at Blenheim Industrial Estate (Policy E3 of the Nottingham Local Plan and Policy 4 of the Aligned Core Strategy)

- 7.1 Policy E3 of the Local Plan states, "Within the major business parks/industrial estates as defined on the Proposals Map, employment sites or employment premises will not be granted planning permission for uses other than employment uses, except for ancillary development necessary to serve the development." This is justified as being "essential to recognise the importance of protecting the major business parks/industrial estates" and "to ensure they continue to provide a sound basis for economic growth and an adequate supply of employment land."
- 7.2 Policy 4h) of the Aligned Core Strategies also states that the economy of the area will be strengthened and diversified by "(i) ensuring the allocations most attractive to the employment market remain available for employment uses", and "(ii)

retaining good quality existing employment sites (including strategic employment areas) that are an important source of jobs."

- 7.3 On the basis of the original application submission and initial assessment against planning policy, it had been initially intended to refuse this planning application under delegated powers. The applicant has, however, provided further information in relation to the marketing of the unit and sequential test in relation to the proposed leisure use.
- 7.4 The additional information provided by the applicant states that, despite marketing since 2013 and a significant number of enquiries by potential users, the building has remained vacant. This is somewhat surprising given the age and size of the building and its accessible location. The applicant has put forward the case that the layout of the building, which accommodates a large proportion of office floorspace, is deterring potential occupiers due to the cost of the removal of this office content. There are also a high proportion of windows within the unit which would not be suitable for some industrial uses. The cost of carrying out these external alterations is also cited as a potential deterrent to prospective occupiers. It is considered, for these specific reasons, that there is no reasonable prospect of the unit being let for Class B1/2/8 employment uses and sufficient evidence has been provided to justify the consideration of an alternative use, as a departure from the provisions of Policy E3 of the Local Plan. It should be noted that these circumstances are site specific and the same principles may not apply to other units in the Blenheim Industrial Estate.
- 7.5 It is considered that the applicant has demonstrated that the unit is not attractive to the market for 'traditional' employment uses, and it is noted that the proposed trampoline park would generate 52 jobs. Taking this into consideration, and despite remaining reservations regarding the loss of an employment use within the Blenheim Industrial Estate, in the interest of securing the use of the long standing vacant unit, it is considered that the proposed development is acceptable and would comply with the employment objectives of Policy 4 of the Aligned Core Strategy.

Issue (ii) Impact upon the role of town and local centres. (Policy 6)

- 7.6 Policy 6 of the Aligned Core Strategy states that main town centre uses should be located in centres. Development should be appropriate in scale and nature to the role and function of the centre. If no suitable sites are available in centres then edge of centre locations should be used, and only if there are no suitable sites will out of centre sites be considered. Proposals for edge of centre and out of centre sites should satisfy the sequential test and show how the development will not have a severe adverse impact on any centre.
- 7.7 The sequential test submitted by the applicant provides a review and analysis of available alternative premises and justification on why these have been rejected as being unsuitable for the proposed use, particularly in relation to the internal height requirements for the proposed trampoline park. This has been updated to consider vacant premises within the City Centre and sites within the emerging LAPP document. The sequential test has been reviewed and whilst there are some reservations about the catchment area cited, it is felt that the sequential test requirements have been met. A condition restricting the use to a trampoline park or uses within classes B1, B2 or B8 is recommended. This offers some protection to the site for employment use as it would allow a potential return to uses within these

classes in the future. It is therefore considered that the proposed development accords with Policy 6 of the Aligned Core Strategy.

Issue (iii) Creation of an attractive, safe, inclusive and healthy environment (Policy 10)

- 7.8 Policy 10(b) states that all new development should be designed to create an attractive, safe, inclusive and healthy environment. Whilst the application site is located within an industrial estate, it accommodates a sizeable car park and is served by a regular bus service. The nearest bus stop during non-peak hours is a short walk away and given the environment through which pedestrians will have to approach the site, improvements to access for pedestrians and cyclists will be required. The applicants are currently in discussion with the Highway Authority regarding these matters, and conditions to secure the improvements, as well as a travel plan, are recommended.
- 7.9 The nature of the proposal promotes a healthy leisure use and the applicant has stated their commitment to providing opportunities to all members of the community. In summary, it is considered that the proposal complies with Policy 10 of the Aligned Core Strategy.

8. SUSTAINABILITY / BIODIVERSITY

None.

9 FINANCIAL IMPLICATIONS

None.

10 LEGAL IMPLICATIONS

The issues raised in this report are primarily ones of planning judgement. Should legal considerations arise these will be addressed at the meeting.

11 EQUALITY AND DIVERSITY IMPLICATIONS

None.

12 RISK MANAGEMENT ISSUES

None.

13 STRATEGIC PRIORITIES

Enabling a new business economy.

14 CRIME AND DISORDER ACT IMPLICATIONS

None.

15 VALUE FOR MONEY

None.

16 List of background papers other than published works or those disclosing confidential or exempt information

1. Application No: 16/01856/PFUL3 - link to online case file:

<http://publicaccess.nottinghamcity.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OBZNCTLYLL300>

17 Published documents referred to in compiling this report

Nottingham Local Plan (November 2005)

Aligned Core Strategy 2014

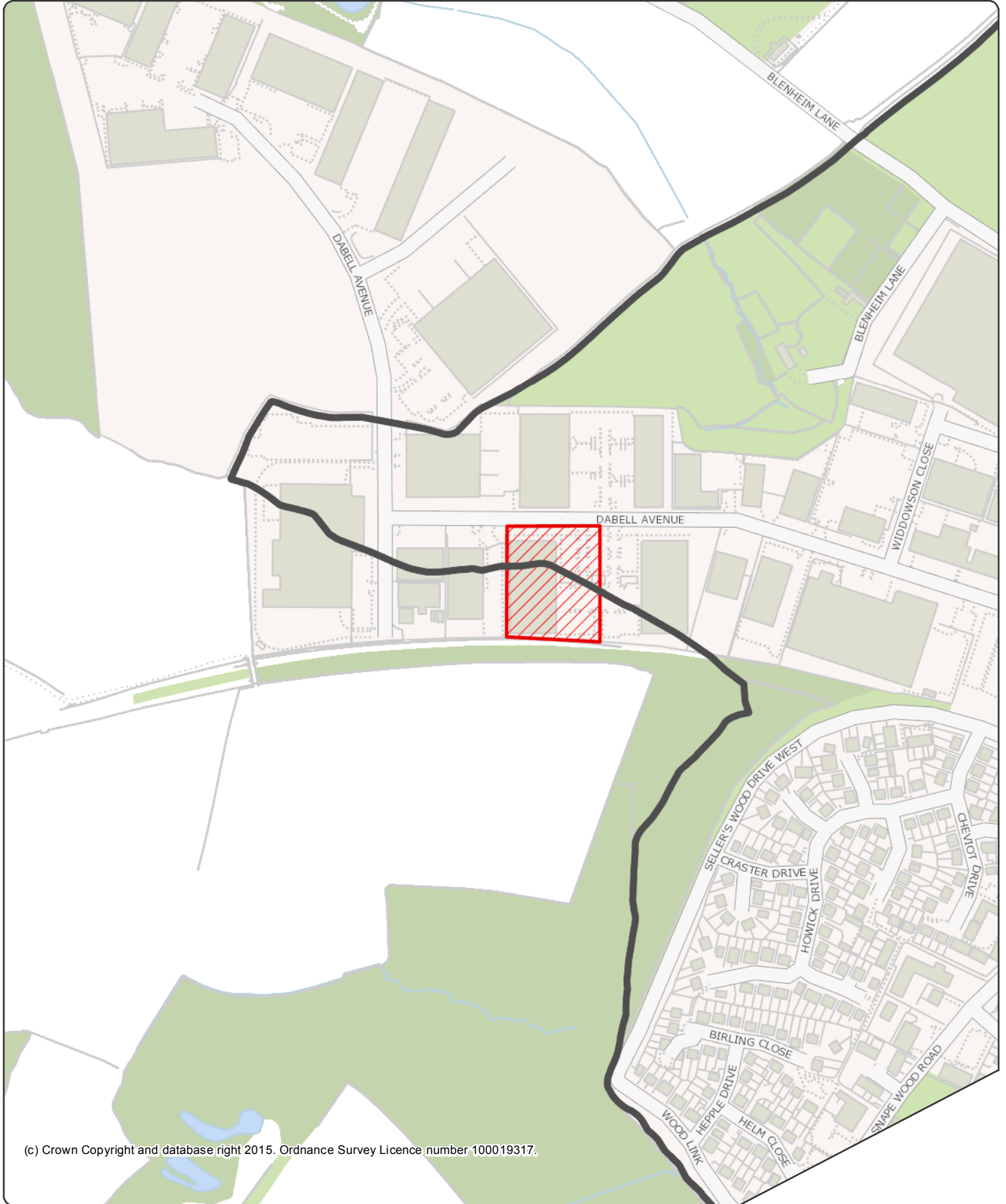
National Planning Policy Framework

Contact Officer:

Mrs Zoe Kyle, Case Officer, Development Management.

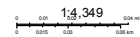
Email: zoe.kyle@nottinghamcity.gov.uk. Telephone: 0115 8764059

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Nomad web map printed by a Nomad user at 09:07, 15/11/2016



Key

-  City Boundary
-  Planning Application Polygons

Description

No map description

My Ref: 16/01856/PFUL3 (PP-05364264)
Your Ref:
Contact: Mrs Zoe Kyle
Email: development.management@nottinghamcity.gov.uk



**Nottingham
City Council**

Development Management
City Planning
Loxley House
Station Street
Nottingham
NG2 3NG

Tel: 0115 8764447
www.nottinghamcity.gov.uk

Savills
Mr Chris Brady
33 Margaret Street
London
W1G 0JD

Date of decision:

**TOWN AND COUNTRY PLANNING ACT 1990
APPLICATION FOR PLANNING PERMISSION**

Application No: 16/01856/PFUL3 (PP-05364264)
Application by: Red Kangaroo
Location: City Segment Of Unit 2, Dabell Avenue, Nottingham
Proposal: Change of use to trampoline park (D2).

Nottingham City Council as Local Planning Authority hereby **GRANTS PLANNING PERMISSION** for the development described in the above application subject to the following conditions:-

Time limit

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The use hereby permitted shall be ceased within 3 months of the development hereby permitted unless a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes which are acceptable to the local planning authority and shall include arrangements for monitoring of progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Policy 10 of the Aligned Core Strategy.

Pre-commencement conditions

(The conditions in this section require further matters to be submitted to the local planning authority for approval before starting work)

There are no conditions in this section.

Pre-occupation conditions

(The conditions in this section must be complied with before the development is occupied)



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Continued...

3. The development hereby approved shall not be brought into use until the site accesses including improvements for pedestrians and cyclists, are provided in accordance with details which shall have first been submitted and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Policy 10 of the Aligned Core Strategy

Regulatory/ongoing conditions

(Conditions relating to the subsequent use of the development and other regulatory matters)

4. The use hereby permitted shall be limited to that of an Indoor Trampoline Park, or a Class B1, B2, or B8 Commercial Use within the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: To offer protection for employment uses in the future in accordance with Policy 4 of the Aligned Core Strategy.

Standard condition- scope of permission

- S1. Except as may be modified by the conditions listed above, the development shall be carried out in complete accordance with the details described in the forms, drawings and other documents comprising the application as validated by the council on 16 August 2016.

Reason: To determine the scope of this permission.

Informatives

1. This permission is valid only for the purposes of Part III of the Town & Country Planning Act 1990. It does not remove the need to obtain any other consents that may be necessary, nor does it imply that such other consents will necessarily be forthcoming. It does not override any restrictions contained in the deeds to the property or the rights of neighbours. You are advised to check what other restrictions there are and what other consents may be needed, for example from the landowner, statutory bodies and neighbours. This permission is not an approval under the Building Regulations.

2. Planning consent is not consent to work on the highway. To carry out the access improvement works associated with the planning consent, approval must first be obtained from the Local Highway Authority. Approval will take the form of a Section 278 Agreement and you should contact Highways Network Management on 0115 8765293 to instigate the process. It is strongly recommended that you make contact at the earliest opportunity to allow time for the process to be completed as you will not be permitted to work on the Highway before it is complete. All associated costs will be borne by the developer.

3. The reason for this decision, and a summary of the policies the local planning authority has had regard to are set out in the officer's delegated report, enclosed herewith and forming part of this decision.

Where a condition specified in this decision notice requires any further details to be submitted for approval, please note that an application fee will be payable at the time such details are submitted to the City Council. A form is available from the City Council for this purpose.

Your attention is drawn to the rights of appeal set out on the attached sheet.

RIGHTS OF APPEAL

Application No: 16/01856/PFUL3 (PP-05364264)

If the applicant is aggrieved by the decision of the City Council to impose conditions on the grant of permission for the proposed development, then he or she can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Any appeal must be submitted within six months of the date of this notice. You can obtain an appeal form from the Customer Support Unit, The Planning Inspectorate, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Phone: 0117 372 6372. Appeal forms can also be downloaded from the Planning Inspectorate website at <http://www.planning-inspectorate.gov.uk/pins/index.htm>. Alternatively, the Planning Inspectorate have introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal - see www.planningportal.gov.uk/pes.

The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay.

The Secretary of State need not consider an appeal if the City Council could not for legal reasons have granted permission or approved the proposals without the conditions it imposed.

In practice, the Secretary of State does not refuse to consider appeals solely because the City Council based its decision on a direction given by him.

PURCHASE NOTICES

If either the City Council or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. This procedure is set out in Part VI of the Town and Country Planning Act 1990.

COMPENSATION

In certain limited circumstances, a claim may be made against the City Council for compensation where permission is refused or granted subject to conditions by the Secretary of State. The circumstances in which compensation is payable are set out in Section 114 of the Town & Country Planning Act 1990.



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WARDS AFFECTED: Bridge

Item No:

PLANNING COMMITTEE
23rd November 2016

REPORT OF CHIEF PLANNER

The Picture Works, 42 Queens Road

1 SUMMARY

Application No: 16/02044/PVAR3

Application by: Mr Anton Lang on behalf of Mr Ian Pole

Proposal: Removal of condition 1 of planning permission reference 15/00925/PVAR3 to enable permanent use as a taxi office

The application is brought to Committee as it is considered to be sensitive given the previous level of public interest.

To meet the Council's Performance Targets this application should have been determined by 1st November 2016.

2 RECOMMENDATIONS

GRANT PLANNING PERMISSION following the expiry of the consultation period and subject to no material objections being received, for the reasons set out in this report, subject to the indicative conditions substantially in the form listed in the draft decision notice at the end of this report.

The power to determine the final details of the conditions to be delegated to the Chief Planner.

3 BACKGROUND

3.1 The site comprises a unit on the ground floor of a mixed use development on the south side of Queens Road, known as the Picture Works. Permission was granted in 2006 (06/00581/PFUL3) for a part seven, part ten storey building containing 128 apartments and commercial and leisure uses on the ground floor.

3.2 To the south of the site is Tinker's Leen and to the west is the new NET Line 2/3. The station and station car park are to the north and the site is within the Station Conservation Area and the Southside Regeneration Area.

3.3 Planning permission (ref 13/01945/PFUL3) was granted in December 2013 for the change of use of the unit in question to a taxi office for a temporary period expiring on 20th June 2015. Conditions attached to this permission requiring the submission of details of the waiting bay for taxis and a management plan concerning vehicle waiting and customer collection, were subsequently discharged.

3.4 An application (ref 14/02563/PVAR3) to allow the use of the premises as a taxi office on a permanent basis was submitted in October 2014. This was subsequently

withdrawn. There was considerable opposition to both applications from the hackney taxi drivers.

- 3.5 A further application was made in 2015 (ref 15/00925/PVAR3) for the continued use as a taxi office. Planning permission was granted for a further temporary period which expires on 30th December 2016.

4 DETAILS OF THE PROPOSAL

Planning permission is now sought to remove condition 1 of application ref. 15/00925/PVAR3 to enable the continuation of the use as a taxi office on a permanent basis.

5 CONSULTATIONS AND OBSERVATIONS OF OTHER OFFICERS

Adjoining occupiers consulted:

The application has been advertised on site and in the press. Nearby occupiers and the Nottingham Licensed Taxi Owners and Drivers Association have also been notified. Expiry date 23.11.2016

Additional consultation letters sent to:

Highways: No objections. The survey information provided by the applicant, including vehicle and pedestrian movements does not identify any concerns with regard to the operation of the unit. There have been no accidents recorded at the junction since the taxi office has been in operation, and not aware of any current issues associated with its operation.

6 RELEVANT POLICIES AND GUIDANCE

National Planning Policy Framework

The NPPF emphasises the important role that planning plays in delivering sustainable development. Paragraph 7 explains that key to this is building a strong and responsive economy, supporting strong, vibrant and healthy communities and by protecting and enhancing the environment. Paragraph 14 states that development should be approved, without delay, where it accords with the development plan.

National Planning Practice Guidance

It will rarely be justifiable to grant a second temporary permission – further permissions should normally be granted permanently or refused if there is clear justification for doing so.

Aligned Core Strategy (2014)

Policy 5: Nottingham City Centre

Policy 10: Design and Enhancing Local Identity

Policy 14: Managing Travel Demand

7. APPRAISAL OF PROPOSED DEVELOPMENT

- 7.1 Planning permission was originally granted in 2013 for an 18 month temporary period to allow assessment of the impact of the taxi office upon the free flow of traffic on Queens Road and highway safety. The purpose of this was to allow time for the taxi office to become established and for the overall impact of the redeveloped station and the new NET lines to have been felt, to then enable an informed decision to be made as to whether this use would be acceptable on a permanent basis. Subsequently a further temporary permission was granted in June 2015. At that time the re-developed station had been open for 12 months but NET Lines 2 and 3 were not operational and it was therefore considered that the full impact of the use as a taxi office could not be properly assessed.
- 7.2 NET Lines 2 and 3 have now been operational for 14 months and there has therefore been a meaningful period of time to allow for the overall impact of the redeveloped Station and NET Lines 2 and 3 to be assessed. In response to a suggestion made by Highways at the time of the planning application in 2015, traffic survey data has been submitted in support of the planning application now under consideration. This has been reviewed by Highways who are satisfied that the taxi office use is not creating any issues of concern. The advice contained in the National Planning Practice Guidance regarding the granting of ongoing temporary permissions is also relevant as this use has already had two temporary planning permissions. The taxi use has been operating for more than three years and it is now considered appropriate to agree to the removal of the planning condition which would enable the use to continue on a permanent basis.

8. SUSTAINABILITY / BIODIVERSITY

The proposal would continue the use of a previously long term vacant commercial unit.

9 FINANCIAL IMPLICATIONS

None.

10 LEGAL IMPLICATIONS

The issues raised in this report are primarily ones of planning judgement. Should legal considerations arise these will be addressed at the meeting.

11 EQUALITY AND DIVERSITY IMPLICATIONS

None.

12 RISK MANAGEMENT ISSUES

None.

13 STRATEGIC PRIORITIES

Neighbourhood Nottingham – The proposal has brought a vacant unit back into use.

Safer Nottingham - The proposal would assist community safety by increasing natural surveillance.

14 CRIME AND DISORDER ACT IMPLICATIONS

The continued occupation of this vacant building provides activity on the street which would contribute to community safety.

15 VALUE FOR MONEY

None.

16 List of background papers other than published works or those disclosing confidential or exempt information

1. Application No: 16/02044/PVAR3 - link to online case file:

<http://publicaccess.nottinghamcity.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OD1938LYGTC00>

2. Highway observations dated 17.10.2016

17 Published documents referred to in compiling this report

Nottingham Local Plan (November 2005)

Greater Nottingham Aligned Core Strategy (2014)

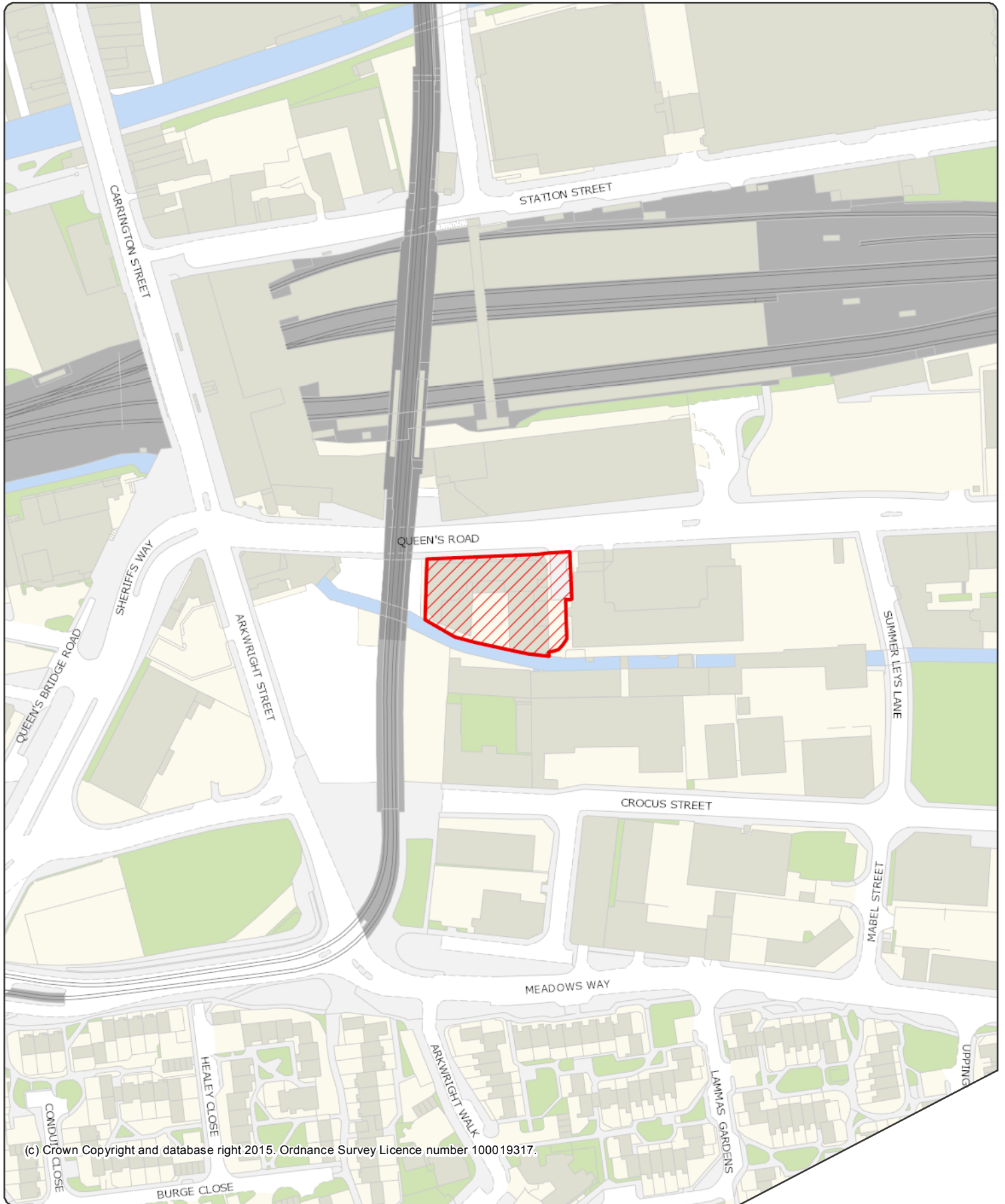
National Planning Policy Framework

Contact Officer:

Mrs Janet Keble (Tues, Wed, Thurs), Case Officer, Development Management.

Email: janet.keble@nottinghamcity.gov.uk Telephone: 0115 8764056



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Nomad web map printed by a Nomad user at 09:18, 15/11/2016



Key

-  City Boundary
-  Planning Application Polygons

Description

No map description

My Ref: 16/02044/PVAR3 (PP-05454562)
Your Ref:
Contact: Mrs Janet Keble (Tues,Wed,Thurs)
Email: development.management@nottinghamcity.gov.uk



**Nottingham
City Council**

Development Management
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Tel: 0115 8764447
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Mr Anton Lang
Anton Lang Planning Services Ltd
PO Box 462
Newcastle Upon Tyne
NE3 9DY
United Kingdom

Date of decision:

**TOWN AND COUNTRY PLANNING ACT 1990
APPLICATION FOR PLANNING PERMISSION**

Application No: 16/02044/PVAR3 (PP-05454562)
Application by: Mr Ian Pole
Location: The Picture Works, 42 Queens Road, Nottingham
Proposal: Removal of condition 1 of planning permission reference 15/00925/PVAR3 to enable permanent use as a taxi office

Nottingham City Council as Local Planning Authority hereby **GRANTS PLANNING PERMISSION** for the development described in the above application subject to the following conditions:-

Time limit
. There are no conditions in this section.
Pre-commencement conditions (The conditions in this section require further matters to be submitted to the local planning authority for approval before starting work)
There are no conditions in this section.
Pre-occupation conditions (The conditions in this section must be complied with before the development is occupied)
There are no conditions in this section.
Regulatory/ongoing conditions (Conditions relating to the subsequent use of the development and other regulatory matters)
1. The use shall be carried out at all times in accordance with the Management Plan, approved under ref. 14/00359/PDS4. <i>Reason: In the interests of the freeflow of traffic on Queens Road and highway safety and in accordance with the aims of Policies 5 and 14 of the Aligned Core Strategy.</i>



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Continued...

2. The use hereby permitted shall not be open to customers outside the hours of 07.00 hours to midnight on any day.

Reason: In the interests of residential amenity and in accordance with the aims of Policy 10 of the Aligned Core Strategy.

3. The single waiting bay for taxis located to the east of the booking office and off the public highway shall be kept available for taxis collecting customers only.

Reason: In the interests of highway safety and in accordance with the aims of Policies 5, 10 and 14 of the Aligned Core Strategy.

4. Two car parking/waiting spaces in the rear ground floor car park shall be kept available for taxi drivers in association with the approved use between the hours of 07:00 and midnight on any day. Outside of the hours of midnight to 07.00 the rear ground floor car park shall not be used for parking/waiting taxis.

Reason: In the interests of highway safety and residential amenity and in accordance with the aims of Policies 5, 10 and 14 of the Aligned Core Strategy.

Standard condition- scope of permission

S1. Except as may be modified by the conditions listed above, the development shall be carried out in complete accordance with the details described in the forms, drawings and other documents comprising the application as validated by the council on 6 September 2016.

Reason: To determine the scope of this permission.

Informatives

Where a condition specified in this decision notice requires any further details to be submitted for approval, please note that an application fee will be payable at the time such details are submitted to the City Council. A form is available from the City Council for this purpose.

Your attention is drawn to the rights of appeal set out on the attached sheet.

RIGHTS OF APPEAL

Application No: 16/02044/PVAR3 (PP-05454562)

If the applicant is aggrieved by the decision of the City Council to impose conditions on the grant of permission for the proposed development, then he or she can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Any appeal must be submitted within six months of the date of this notice. You can obtain an appeal form from the Customer Support Unit, The Planning Inspectorate, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Phone: 0117 372 6372. Appeal forms can also be downloaded from the Planning Inspectorate website at <http://www.planning-inspectorate.gov.uk/pins/index.htm>. Alternatively, the Planning Inspectorate have introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal - see www.planningportal.gov.uk/pes.

The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

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The Secretary of State need not consider an appeal if the City Council could not for legal reasons have granted permission or approved the proposals without the conditions it imposed.

In practice, the Secretary of State does not refuse to consider appeals solely because the City Council based its decision on a direction given by him.

PURCHASE NOTICES

If either the City Council or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. This procedure is set out in Part VI of the Town and Country Planning Act 1990.

COMPENSATION

In certain limited circumstances, a claim may be made against the City Council for compensation where permission is refused or granted subject to conditions by the Secretary of State. The circumstances in which compensation is payable are set out in Section 114 of the Town & Country Planning Act 1990.



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WARDS AFFECTED: All

PLANNING COMMITTEE
23rd NOVEMBER 2016

REPORT OF CHIEF PLANNER

Nottingham Local List Criteria and Selection Process
Proposed Criteria for the Designation of Locally Listed Heritage Assets

1 SUMMARY

This report sets out the proposed criteria and selection process for designating Locally Listed Heritage Assets in Nottingham

2 RECOMMENDATIONS

That Planning Committee:

- 2.1 Approve the proposed Local List criteria and selection process for non-designated Heritage Assets for consultation
- 2.2 Determine whether to ask for views as to the desirability of an Article 4 direction to further protect non-designated Heritage assets as part of the consultation.

3 BACKGROUND

- 3.1 Many of the city's most historically significant heritage assets are protected by national designations, and some are afforded higher levels of protection due to their location in Conservation Areas. However, many more significant buildings, historic landscapes and archaeological remains are not formally recognised, their actual and potential contributions often overlooked and unharnessed. As their conservation and use would ensure a key part of the city's heritage prevails for the benefit of future generations the Nottingham City Aligned Core Strategy (Policy 11); the draft Nottingham City Land and Planning Policies Document (paragraph 4.130) and the Nottingham Heritage Strategy make reference to the creation of a local list of non-designated heritage assets
- 3.2 Local Lists highlight key heritage assets in the townscape cherished by communities. They are something distinct, they showcase the city's history, providing an instinctive link to the past and a giving us a sense of future direction by raising awareness of our origins. Local Lists differ from national designations as they draw attention to assets that are special because they are locally significant.
- 3.3 Research suggests that around 60% of local authorities in England now have Local Lists. Nottingham has an established and detailed Local List, developed by the Nottingham Civic Society from an earlier list produced by the Council some years ago. However, the list is not formally adopted and can be afforded no weight in decision-making, including in planning. Improving the list so that it is fit for purpose and formally adopted would enable the city to care for its valued assets and put them to best use as Nottingham grows.

- 3.4 The Nottingham Local Plan and the Heritage Strategy contain actions to adopt criteria for selection of heritage assets to be included in the Nottingham Local List. The Local List could then be used through the Local Plan as part of the evidence-base for planning and development as well as ensuring due process in decisions about the future of heritage assets and having a robust process for the justification of decisions on appeal.

4 CONSULTATION AND OBSERVATIONS OF OTHER OFFICERS

- 4.1 The proposed Local List Criteria and Selection Process has been written by officers from the Heritage and Urban Design Team in collaboration with the City Archaeologist and colleagues in Planning and Planning Policy Teams. It has also been developed in consultation with the Nottingham Civic Society, the Nottingham Heritage Panel, Historic England and the University of Nottingham.
- 4.2 There will be a 6 week public consultation period ending 7th January 2017 enabling members of the public to input into the formation of the Local List Criteria and Selection Process. Within this period a Heritage Partnership for Nottingham will be launched and there will be a consultation session on the criteria and selection process with a means to give feedback. In addition the consultation will be sent to the Nottingham and Long Eaton Topper and to all National and Local Amenity Societies and there will be consultation through the NCC consultation team.
- 4.3 The feedback from the public consultation will be brought together and a further report submitted to this Committee for to consider the ultimate approval of the process.

5 RELEVANT POLICIES AND GUIDANCE

- 5.1 The following policies and guidance are directly relevant to the designation of Locally Listed Heritage Assets:
- National Planning Policy Framework (2012): Section 12. Conserving and enhancing the historic environment and the National Planning Policy Guidance (2014 onwards) on Non-Designated Heritage Assets
 - The Town and Country Planning (General Permitted Development) (England) Order 2015
 - Nottingham City Aligned Core Strategy (part 1 Local Plan) Policy 11 paragraph 3.11.8 (adopted September 2014); the Nottingham City Land and Planning Policies Document (part 2 Local Plan) Policy HE1 paragraph 4.130 (Publication Version January 2016) and the Nottingham Heritage Strategy (Published March 2015)
 - Historic England Advice Note 7: Local Heritage Listing (Published May 2016)

6 APPRAISAL

- 6.1 Paragraph 135 of the National Planning Policy Framework 2012 requires the Planning Authority to take the impact of development on non-designated heritage assets into account when determining planning applications. Non-designated heritage assets include unlisted buildings outside of conservation areas and any heritage assets included on the Local List.
- 6.2 Based on this paragraph, some councils have adopted a list of non-designated

Heritage Assets which has added weight to their decisions on appeal. If Nottingham City Council had adopted criteria for a Local List of Heritage Assets based on publically scrutinised and rigorous selection criteria it would provide a more robust basis for assessing planning decisions as well as identifying heritage issues at the earliest possible stage in the planning process.

- 6.3 The National Planning Policy Guidance States that *“Local lists incorporated into Local Plans can be a positive way for the local planning authority to identify non-designated heritage assets against consistent criteria so as to improve the predictability of the potential for sustainable development”*.
- 6.4 The National Planning Policy Guidance goes on to say *“When considering development proposals, local planning authorities should establish if any potential non-designated heritage asset meets the definition in the National Planning Policy Framework at an early stage in the process. Ideally, in the case of buildings, their significance should be judged against published criteria, which may be generated as part of the process of producing a local list.”*
- 6.5 The Nottingham City Land and Planning Policies Document states *“The Council will produce and maintain a list of non-designated heritage assets and set out the criteria for their identification.”* Furthermore it states *“In addition to nationally recognised assets, the City also includes a large number of buildings, archaeological sites, monuments, gardens and spaces of local and regional importance. These non-designated heritage assets are not afforded any additional statutory protection, but they are material considerations in the planning process and receive the full weight of both local and national planning policies. Therefore, where development affects a non-designated heritage asset or would result in its demolition or loss, a balanced judgement on the acceptability of the proposal will be made, having regard to the scale of any harm or loss and the significance of the heritage asset.”*
- 6.6 The proposed Local List Criteria and Selection Process take this policy guidance into account and is based on the best practice advice contained in *Historic England Advice Note 7: Local Heritage Listing*.
- 6.7 Even where a non-designated Heritage Asset is placed on a Local List it is generally afforded no higher level of protection in planning terms than any other property (unless it is situated in a conservation area). In particular, the demolition of a non-designated Heritage Asset would normally be permitted by prior notification.
- 6.8 Historic England Advice Note 7 on Local Heritage Listing recommends that *“Where changes do not require planning permission, an authority may consider whether the exercise of permitted development rights would undermine the aims for locally listed heritage assets. In cases where it would, authorities may consider the use of an Article 4 Direction (in tandem with the local listing process) to ensure any permitted development is given due consideration.”* Some authorities (such as Leicester City Council) have imposed Article 4 directions taking away these permitted development rights for Locally Listed Heritage Assets and it is suggested that the consultation seek views as to whether the Council should consider using this power. Proposals would need to be worked up and further consultation carried out if an Article 4 direction were to be pursued.

7 FINANCIAL IMPLICATIONS

- 7.1 There are small resource implications for the administration of the selection process for the Local List which can be met within existing budgets.

8 LEGAL IMPLICATIONS

- 8.1 There is no legal obligation for Local Authorities to consult publicly prior to the development of Criteria and a Selection Process for a Local List. However, guidance from Historic England (Historic England Advice Note 7: Local Heritage Listing, May 2016) establishes this as good practice.
- 8.2 The decision to develop Local List Criteria and Selection Process is a matter for the Planning Committee under its terms of reference in the Council's Constitution, since it does not form part of the Policy Framework (which requires Full Council approval) and does not require Executive Board Approval.
- 8.3 There is no statutory right of appeal against the designation of a Locally Listed Heritage Asset, and whilst potentially challengeable by way of Judicial Review it is more likely that any challenge would arise in relation to the determination of any planning applications relating to the asset than to the listing of the asset itself.

9 EQUALITY AND DIVERSITY IMPLICATIONS

None arising from this report.

10 RISK MANAGEMENT ISSUES

None other than those raised in the Legal implications above.

11 STRATEGIC PRIORITIES

- 11.1 The adoption of Local List Criteria and Selection Process was identified as a task to be delivered in the Nottingham City Land and Planning Policies Document (part 2 Local Plan) and the Nottingham Heritage Strategy.

12 CRIME AND DISORDER ACT IMPLICATIONS

None arising from this report.

13 VALUE FOR MONEY

- 13.1 The proposal would enable better informed planning decisions to be made regarding Non-Designated Heritage Assets and give a process for the robust justification of decisions. It would also enable greater appreciation and engagement with heritage throughout the city.

14 HEALTH INEQUALITIES IMPLICATIONS

None arising from this report.

15 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

16 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT:

Nottingham Heritage Strategy (Published March 2015)
Historic England Advice Note 7: Local Heritage Listing (Published May 2016)
National Planning Policy Framework and Guidance (2012)
Nottingham City Aligned Core Strategy (part 1 Local Plan) (adopted September 2014) and the Nottingham City Land and Planning Policies Document (part 2 Local Plan) (Publication Version January 2016)

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Appendix1 - Nottingham Local Heritage Asset List ("Local List") – Criteria and Selection Process

Proposed Selection Criteria

The Local List should be a tangible reflection of the characteristics and history of Nottingham. Therefore, nominations for the list will be assessed against the criteria listed below. Elements of historical association will require evidence within the fabric of the building or heritage asset to meet the criteria of the list. Heritage assets included on the list should as a minimum be of local significance in order to be regarded as a material planning consideration. The impact of development on locally listed assets will be part of the balancing exercise in the determination of planning applications (National Planning Policy Framework paragraph 135). All buildings that meet the criteria of national listing should be included in the National Heritage List of England if Historic England are aware of the building. However, designation of archaeological remains and designed landscapes at a national level only represents a sample of nationally important heritage assets and therefore some heritage assets included in the Local List may also be of national importance. The Local List is compiled through applications rather than a systematic survey. Therefore it is not an exhaustive list and if a heritage asset is not included in the list it does not mean it is ineligible for inclusion.

In the following table –HER means Historic Environment Record and UAD means Urban Archaeological Database

Criterion	Description
Age criteria for buildings and structures	<ul style="list-style-type: none"> • Pre-1840 likely to be nationally listed if not will normally be included in the Local List • 1840-1914 – Likely to be of traditional construction and, while other criteria of selection need to be met, heritage within this timeframe is likely to provide evidence of the development of Nottingham from a medieval to modern city. Greater selectivity will be necessary from this period to today as mass production and availability of materials led to more standardisation of buildings. • 1914-1960 – for heritage within this category there will be a high level of selectivity and assets will be selected that either represent innovation; high quality design or aesthetic value or reflect the contribution of Nottingham to events on a national stage • Post-1960 – The highest level of selectivity will be used for this group where the asset will demonstrably contribute to the heritage of the city to be included in the list
Rarity	Appropriate for all assets, as judged against local characteristics. Is the building or monument type either a local rarity or uniquely characteristic of the heritage of Nottingham? Selection will be made on the basis of protecting rare heritage types as well as representing the typical or common place. Guidance on the relative rarity of heritage assets is given below with advice on how to judge good examples of each.
Heritage Asset Type	<p>The following heritage asset types play an important role in understanding the heritage of Nottingham:</p> <ul style="list-style-type: none"> • Agricultural – surviving examples of pre-enclosure heritage assets that have been subsumed in the city – all are likely to be good candidates for local listing

- Commemorative – high quality monuments that show a high level of craftsmanship or artistry will be good candidates for local listing especially if associated with a known artist. This category includes:
 - Public Art and Sculpture by leading artists or of communal value
 - Good quality Funerary Monuments
 - Civic Monuments and Statuary
 - War Memorials – are likely to be good candidates for local listing as they represent the role the people of Nottingham in events on a world stage
- Commercial – within this category there will be a high level of selectivity in terms of the survival of fabric and aesthetic quality.
 - Banks and Offices
 - Shops, department stores, markets and auction houses
 - Good quality historic public houses (is it on the CAMRA historic pubs list?), Inns and Hotels
 - Tea houses, temperance bars and social clubs
- Cultural and Entertainment – this category will need to demonstrate a high aesthetic quality and substantial original fabric of the building in order to be listed.
 - Libraries and reading rooms
 - Museums and Art Galleries
 - Assembly Rooms and Music Halls
 - Concert Halls, music venues, Theatres and Cinemas
 - Dance Halls, Villages Halls and institutes
- Surviving vernacular houses, usually dating to the pre-enclosure period, are likely to be at least of local significance due to their local rarity. Complete cave dwellings are likely to be of local if not national importance (see caves).
- Town Houses – there are many examples of town houses on the national heritage list within the Nottingham City Council area. Those houses before the mid Victorian period that do not meet the national criteria are likely to be good candidates for local listing.
- Workers Housing and textile workers housing – good examples of groups of workers housing might be better served by conservation area status. For individual buildings and small groups that reflect good historic examples local listing might be a good management tool. Frame-work knitters and lace maker’s dwellings are likely to be locally significant if they are not recognised by national listing.
- Suburban and Country Houses – well-designed examples with high aesthetic value will make good candidates for local listing; especially if there is a historical association with important Nottingham figures such as local industrialists. This type of housing includes:
 - Villas
 - Halls (e.g. Clifton [grade I listed], Basford and

Wollaton (grade I listed))

- Suburban housing
- Clergy Housing
- Modernist Housing – individual houses are a relative rarity in the city so good examples might meet the criteria for local listing. There are significant numbers of 20th century housing typical of the era so a very high level of judgement will be used in the selection of Local List candidates. There are good examples of war time housing which might be of local significance (see prefab buildings below).
- Education – the city is well served with good education board schools from the 1870s. There are also good examples of earlier schools such as the Town Mission Ragged School of 1858 and the Old Grammar School at Bulwell of 1667. The two universities and a number of higher education establishments contain good historic buildings. Good candidates for local listing will include early schools and well-designed historic education buildings from all periods. Buildings within this category include:
 - Board Schools and other school
 - University and Higher Education establishments
 - Halls of Residence – the universities have several high quality halls of residence that were either purpose built, such as Florence Boot Hall or were reused residential properties, such as High Stewart Hall (formerly Lenton Hall). Those historic halls of residence that are not nationally recognised are good candidates for the Local List.
- Health and Welfare – there are some high quality undesignated health and welfare buildings in the city. Good examples would make excellent candidates for the Local List. This category includes:
 - Hospitals and Asylums –Victorian institutions within the city which are not nationally listed are likely to make good candidates for the Local List. There are the potential for archaeological remains of earlier foundations, such as the medieval hospital of St John. Remains of medieval hospitals are likely to be of national significance and will be managed through the Archaeological Constraint Areas and be added to the HER and UAD.
 - Almshouses – standing almshouses survive from the Victorian and Edwardian period with many being nationally listed. Good examples of almshouses are likely to be excellent candidates for local listing.
 - Workhouses and Children’s Homes – such as Basford Union Workhouse
 - Dispensaries
- Industrial – the main industries in the city of Nottingham during the post-medieval and modern periods were lace, bicycles and tobacco. While some heritage assets relating

to these industries are protected by national listing many fall below the criteria while adding greatly to the story of Nottingham. These would therefore meet the criteria of local listing:

- Lace and stocking Manufacturing, finishing (bleach works) and warehousing buildings
- Buildings associated with Viyella manufacturing
- Boots buildings – including diversified industry such as the print works
- Heritage assets relating to the tobacco industry
- Buildings relating to Raleigh Bicycle manufacture
- Heritage Assets relating to the leather and tanning industry
- Breweries and Maltings
- Mining/Quarrying
- Warehouses – including rail warehouses
- Heritage Assets relating to motorcycles and the early motor industry.
- Early Industry – archaeological remains of early industry are likely to make good candidates for local listing, such as mining from the 16th century
- Any remains of the Nottingham alabaster industry will be protected by local listing if not by national designation
- Heritage assets relating to pottery, tile and brick production
- Law and Civic – Civic buildings tend to represent the highest quality of design and planning and therefore are often included within the National Heritage List. Historic examples that do not meet the criteria of national listing are likely to be of local significance in terms of the history of the civic development of the city. Examples include:
 - Town Halls and government buildings
 - Law courts, police stations and prisons
 - Fire stations
 - Political Clubs and Institutions, such as the Mechanics Institute
- Military – there is a high potential of military remains of different periods throughout the city. Elements that survive well are likely to be locally listable. This might include:
 - Pre-Norman Conquest (Late Saxon) defensive ditch - archaeological traces of the defensive ditch are at least of local significance
 - Medieval Town Wall – archaeological traces of the town walls are at least of local significance. There is only one short length of in situ town wall and this is already scheduled. Further remains are unlikely to survive; however, theoretically some remains of wall could exist
 - Medieval (post Norman Conquest) town ditch – archaeological traces of the defensive ditch are at least of local significance
 - Civil War remains – any remains are of local if not national significance

- 20th century defences – such as pill boxes, airfields, anti-aircraft batteries, bombing decoys or bunkers/shelters
- Prisoner of War locations and camps and army training grounds – there are at least two known locations within the city where prisoners of war were detained. If there is surviving fabric of these historical events they may be worth of local listing in their own right or would add to the case for local listing with other factors.
- Places of Worship or religious sites – Good examples of historic places of worship of all different denominations and faiths can be eligible for local listing. This includes buildings that have been reused as faith buildings such as houses which have been converted to mosques. There are potential archaeological remains in the city of medieval religious foundations such as at the scheduled Lenton Priory or the site of the Carmelite Friary off Friar Lane as well as smaller scale sites such as the scheduled Lenton Hermitage. Any traces will be of national significance and will be protected through Archaeological Constraint Areas.
- Burial or funerary sites without religious affiliation – there is at least one medieval site and there are also known Bronze Age and Roman sites within the city
- Sports and Recreation –
 - Swimming Baths
 - Early or well-designed historic Indoor sporting venues such as billiard halls, lads or girls clubs, skittle alleys, gymnasia, drill halls and sports centres
 - Good quality historic outdoor sporting venues – including pavilions, grandstands, and sports grounds
- Street Furniture – good examples will be grouped with other heritage assets to meet the criteria for designation unless of exceptional quality. This category can include street surfaces and steps, lighting, boundary markers, sign posts, bus shelters, drinking fountains, pumps, letter boxes and telephone kiosks.
- Transport – surviving infrastructure and buildings can be locally listable such as:
 - Rail viaducts
 - Canal and river structures
 - Bridges
 - Train warehouses
 - Car parks and showrooms
 - Bus and tram depots and sheds
- Utilities and Communication – historic examples of the following heritage assets could be added to the Local List:
 - Power generation or distribution site
 - Wells, waterworks, pumping stations, water towers and reservoirs.
 - Communications structures – good quality historic

	<p>post offices and telegraph exchanges</p> <ul style="list-style-type: none"> • Prefab buildings, such as the 'Crane Houses' in the Middleton Boulevard Conservation Area – need to evaluate whether they would benefit from extra protection through being locally listed. There are also a group of Tarran bungalows on Beechdale Road. With local listing selectivity will be used in designation to protect key buildings that add to the understanding of the whole or that retain original fabric. • Caves – these have been cut into the soft sandstone below the city centre for centuries for different purposes from hermitages, to pub cellars and even malt kilns, tanneries and catacombs. The caves have now been extensively mapped and a Supplementary Planning Document is being prepared for their management. Individual local listing of the caves would help to flag up their presence in the planning process and ensure the impact of development on the caves is understood and considered within the determination of planning applications. • Prehistoric Nottingham – There is a high potential that prehistoric remains survive, particularly in areas close to the River Trent. Excavations have shown the presence of Bronze Age and Iron Age settlements in Clifton, Wilford and Broxtowe. These remains are likely to be regionally if not nationally important and if they are not designated they will be included in the Local List. • Roman Nottingham – considering the plentiful prehistoric evidence in the Trent Valley there is a paucity of Roman evidence within Nottingham. Any remains of Roman date will be added to the Local List if not nationally designated. • Saxon and Medieval Nottingham – There is a high potential that remains of the Saxon borough sited around the Lace Market and the Norman Town focussed at the castle survive beneath the city centre. These have the potential to contain information about everyday life in the city for more than 1000 years. Outside the centre there is the potential for remains to survive of smaller settlements around the city such as at Basford, Bulwell, Sneinton, Wilford and around the Lenton Priory site. Any significant remains are likely to be of national importance and therefore will be managed through the Archaeological Constraint Areas by the City Archaeologist. These will be added to the HER and UAD.
<p>Architectural or Artistic value</p>	<p>The intrinsic design value of an asset relating to local styles, materials or any other distinctive local characteristics, for example:</p> <ul style="list-style-type: none"> • Use of Bulwell Stone or Derbyshire Gritstone in a good quality building • High quality use of architectural ceramics • Good examples of brick buildings using brick detailing – needs additional selection criteria • Fine examples of architectural styles, such as neo-gothic, Art Deco, or eclectic

	<ul style="list-style-type: none"> • High quality of craftsmanship or design
Group value	<p>Groupings of assets with a clear visual, design or historic relationship, such as the group of heritage assets around Wellington Circus or the Civic area around the Guild Hall. Consideration needs to be made whether there are enough assets for a conservation area and whether that would be a better means of managing them.</p>
Documentation	<p>The significance of a local heritage asset of any kind may be enhanced by a significant contemporary or historic written record</p>
Historic association	<p>The significance of a local heritage asset of any kind may be enhanced by a significant historical association of local or national note, including links to important local figures, such as;</p> <ul style="list-style-type: none"> • Buildings designed by Nottingham architects T.C. Hine, Watson Fothergill, Cecil Howitt, GT Hine, AM Bromley, Gilbert Smith Doughty, Brewill and Baily, Arthur Marshall • Architects that designed any buildings of Special Interest recognised on the National Heritage List for England • Key figures in the history of Nottingham such as Jesse Boot, Albert Ball or William Booth • Examples of philanthropy within the city • Heritage Assets associated with Literary or artistic figures such as Lord Byron, DH Lawrence, Alan Stillitoe (?), Laura Knight • Heritage Assets associated with rebellion or social reform within the city, such as Luddite disturbances and Chartist riots <p>Selectivity will be taken with heritage assets designated for historical association, there will be a link between the historical events/figures and existing fabric. Historical association without a link to existing fabric can be recognised by other means, such as a blue plaque scheme</p>
Archaeological interest	<p>Heritage assets can be locally designated on the grounds of archaeological interest if the evidence base is sufficiently compelling and if a distinct area can be identified. In Nottingham there is a high potential for important archaeological remains which are not protected through national designation including caves cut into the rock (see above) to a range of buried deposits potentially from as early as the Bronze Age detailing everyday life in the city. Extensive remains of medieval date within the area of the Saxon and Norman city are likely to be of national importance. Specific heritage asset types are dealt with above and consideration must be made of whether local listing is an appropriate management tool or whether remains will be managed through Archaeological Constraint Areas alongside recording on the HER and UAD. There are some sites within the Nottingham City Council area that contains high palaeoenvironmental potential which could be locally protected within the Local List.</p>
Designed landscapes	<p>This includes gardens, grounds and other planned open spaces, such as town squares, that are not on the national register of Parks and Gardens but do have historic significance. Some started life as the grounds of private houses while others include public parks and cemeteries. Even hospital landscapes and industrial sites such as pumping stations can be included,</p>

because they have skilfully-planned surroundings reflecting the landscaping fashions of their day. The emphasis of the Register is on 'designed' landscapes, rather than on planting or botanical importance. Nottingham has an interesting and strong assemblage of different design landscapes emphasising the planning of green spaces in the later development of the town and later city. Designed landscapes that are characteristic of Nottingham include:

- Allotments and detached town gardens – Nottingham has the largest area of detached town gardens (St Ann's Allotments) and two (St Ann's Allotments and Bagthorpe Gardens) of the five designated areas of detached town gardens in the country. Detached town gardens were plots of land at the edge of the town rented out to artisans and the skilled working class, such as lace makers, for use as ornamental and productive gardens. This is a nationally rare landscape type which is likely to be recognised by inclusion on the register of parks and gardens. In addition to these nationally designated landscapes there are historic allotments within the city. A candidate for local listing would need good survival of historic layout, boundary features.
- Gardens/Grounds of villas and country houses – where there is the survival of layout, boundaries, structures and planting consideration for local listing will be given.
- Victorian/Edwardian Suburbs – with circuses and squares – such as the Park Estate or Wellington Circus. Good candidates for local listing will have surviving layout and boundaries with a preference for original planting schemes.
- 20th century Garden Suburbs – for example Clifton South where the layout still survives with good tree planting to increase public amenity. A high level of judgement will be needed to select those elements that are characteristic of the whole and survive intact.
- Public Parks and gardens including structures – such as the Arboretum, Highfields Park or the Castle Bailey. A discussion regarding the most appropriate management tool might be appropriate as the three examples are already nationally designated.
- Public Walks – Nottingham has a number of public walks created immediately after the Enclosure Act of 1845. These are not unique; however, Nottingham is unusual having a planned set of walks including Robin Hood Chase, Corporation Oaks, the walk around Bellevue Reservoir, Elm Avenue and Queen's Walk.
- Cemeteries and Gardens of Remembrance – including designated sites such as Rock Cemetery (grade II* registered) and the General Cemetery (grade II registered) or locally significant places such as the Jewish Burial Ground on North Sherwood Street. Other examples include St Mary's Garden which was a Cholera Burial Ground and intra-mural burial grounds at Mount Street and Barker Gate. Good candidates for local listing will

	<p>have surviving boundaries, layout and landscaping, planting, monuments and buildings.</p> <ul style="list-style-type: none"> • Institutional landscapes – such as University Park or King Edwards Park, Sneinton (the site of the County Lunatic Asylum). Surviving elements will normally include boundaries, layout and landscaping and structures.
Landmark status	<p>An asset with strong communal or historical associations, or because it has especially striking aesthetic value, may be singled out as a landmark within the local scene. This might include a historic building that ends the view down a street or a church or institutional building.</p>
Social and communal value	<p>Relating to places perceived as a source of local identity, distinctiveness, social interaction and coherence; often residing in intangible aspects of heritage contributing to the “collective memory” of a place. This can include public places such as swimming baths, schools, pubs or parks; or historic places associated with influential figures in the city. Allied to this is the importance of the asset to the story of Nottingham. Within this category assets representing the following might represent good candidates for local listing:</p> <ul style="list-style-type: none"> • Heritage assets that relate to Black And Minority Ethnic (BME) communities within the city • War memorials • Community facilities such as schools, swimming pools and public houses (see above) • Buildings that reflect discrete communities in the city such as LGBTQ buildings <p>This can add to the significance of a building but will relate to the fabric of heritage assets for this to be a defining criteria of selection.</p>

Proposed Selection Process for Local Listing

1. Online Application Process – application form asking for:
 - **Statement of significance:** *identifies the significance of the asset in the local context*
 - **Location details:** *Ordnance Survey (OS) grid references and street address*
 - **Administrative information:** *may include Parish, District and County details*
 - **Photographs:** *visual recording of the asset from the public realm, concentrating on significant elements*

The database populated from the application form would fulfil the data requirements of the HER so that it can be incorporated directly.
2. Owner and Applicant informed of selection process and implications of local listing through the guidance.
3. Sifted by Risk to assess whether they need to be assessed as a matter of urgency by the Selection Panel or whether they can wait for quarterly meetings
4. Selection Panel assesses the candidate against the selection criteria for the Local List with the possible need of a site visit to assess significance.
5. Included in the Local List or rejected. If included add to the HER and GIS (Geographical Information System) layers.
6. Applicant and owner informed of decision and reasons for designation or rejection.

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