



NOTTINGHAM CITY COUNCIL
PLANNING COMMITTEE

Date: Wednesday, 18 October 2017

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: Zena West **Direct Dial:** 0115 8764305

- 1 APOLOGIES FOR ABSENCE**
- 2 DECLARATIONS OF INTERESTS**
- 3 MINUTES** 3 - 6
Minutes of the meeting held 20 September 2017, for confirmation
- 4 LOCAL PLAN PART 2: LAND AND PLANNING POLICIES** 7 - 18
DOCUMENT – REVISED PUBLICATION VERSION
Report of the Deputy Chief Executive/Corporate Director of
Development and Growth
- 5 PLANNING APPLICATIONS : REPORTS OF THE CHIEF PLANNER**
- a 2 - 6 Alfreton Road** 19 - 34

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 at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 20 September 2017 from 2.32pm – 3.23pm

Membership

Present

Councillor Chris Gibson (Chair)
Councillor Cat Arnold (Vice Chair)
Councillor Graham Chapman
Councillor Azad Choudhry
Councillor Josh Cook
Councillor Rosemary Healy
Councillor Gul Nawaz Khan
Councillor Sally Longford
Councillor Brian Parbutt
Councillor Andrew Rule
Councillor Mohammed Saghir
Councillor Wendy Smith
Councillor Malcolm Wood
Councillor Linda Woodings
Councillor Michael Edwards (substitute for Councillor Young)

Absent

Councillor Steve Young

Colleagues, partners and others in attendance:

Sebastian Foster	-	Wilson Bowden Developments
Lisa Guest	-	Principal Officer, Development Control Highways Programmes
Michael Halston	-	Planning Graduate
Sarah Hancock	-	Technical Officer Development Control
Judith Irwin	-	Solicitor
Martin Poole	-	Heritage and Urban Design Manager
Jim Rae	-	Principal Planning Officer
Nigel Turpin	-	Design and Conservation Manager
Zena West	-	Governance Officer

25 APOLOGIES FOR ABSENCE

Councillor Young – Councillor Edwards substituting

26 DECLARATIONS OF INTERESTS

None.

27 MINUTES

The minutes from the meeting of 16 August 2017 were agreed as a correct record and signed by the Chair.

The minutes from 19 July 2017 will be amended to reflect that Councillor Khan had submitted apologies for non-attendance due to ill health.

28 PLANNING APPLICATIONS : REPORTS OF THE CHIEF PLANNER

a TRENT BASIN AND LAND TO WEST OF TRENT LANE, TRENT LANE (Agenda Item 4a)

Martin Poole, Area Planning Manager, introduced application 17/01385/PRES4 by Blueprint (General Partner) Limited, for approval of reserved matters (layout, scale, appearance of landscaping) for Phase 2B of Planning Permission 13/03029/PFUL3, comprising 10 dwellings, public realm, hard and soft landscaping and associated work, which application is brought to Committee at the request of a ward councillor.

Martin Poole delivered a brief presentation which included a map showing the location of the site, full elevation of riverside frontage, slides showing the design of the scheme and detail with regard to the eaves line, the focal point 4 storey building on the corner, the riverside walkway and cycleway view, and detailed elevation drawings showing window size.

The Area Planning Manager informed the Committee that the scheme is for the erection of 10 new dwellings in total, in a courtyard configuration linking in with the mews road that forms part of phase 2a. The Committee was informed that the phase fronts on to the riverside and Trent Lane and follows the form of terrace housing in other phases. The Committee was further informed that it is intended that there will be a total of 7 car parking spaces for the 10 units, with an expectation that some of the parking will be provided on street.

Martin Poole reported that concern has been expressed by a resident over the number of parking spaces, and there were also concerns from ward councillors on the issue and the impact of car-owning residents of the development needing to park on Trent Lane. The Committee was informed that the developer is committed to delivering a sustainable development in which residents are encouraged and assisted to reduce private car use. The developer is seeking a Traffic Regulation Order (at no cost to the Council) for a residents' parking scheme in respect of three houses within the scheme which will not have allocated parking and which front onto Trent Lane. There are particular pressures such as football parking which are pertinent to this development. It is part of the overall package to make the scheme work in highways terms, and is reflected in the conditions.

The developer is actively promoting a more eco-friendly ethos, such as the establishment of an electric car share scheme, so residents may have at most 1 car and optimistically may not require a car for their lifestyle in this location at all.

Martin Poole reported also that this is the only phase of the Trent Basin scheme in which the provision of parking is less than one space per dwelling and residents of this phase needing to park may be able to park in adjacent phases having spare parking spaces.

Councillors' comments included:

- (a) a number of councillors were concerned about the parking provision of less than 1 space per dwelling, and suggested the expectation of up to 1 car per dwelling may be unrealistic for larger family houses. There was also a concern of safety in the local area given the proximity of an industrial estate, and some councillors felt that residents may not feel safe walking or cycling late at night;
- (b) some councillors felt that the visuals of the scheme had not been reflected in the quality of materials used in phases 1 and 2a. Whilst phase 2b is being considered in isolation, councillors felt it important to note that high quality materials should be used in order to achieve aesthetics closer to those presented at Planning Committee;
- (c) councillors noted that, should this phase of the scheme be approved, it must be recognised that the ratio of parking spaces to dwelling in this phase is a consequence of the shape of this parcel of land, and the constraints resulting from the Council's wish to keep the river front free of vehicles and enhance the riverside path for pedestrians and cyclists. It is a unique set of circumstances and any approval must not set a precedent for the ratio of parking spaces to dwelling for any future phases in the overall scheme;
- (d) some concern was raised regarding the practicality of the bin stores, though Martin Poole informed the Committee that no problems have been reported with a similar bin store system already in place in phase 1 of the scheme;
- (e) the images on the slides show 3 different types of brick, and a timber panelling element. It is important that the quality of the materials is high, and in keeping with the existing phases of the scheme. Councillors noted that the design may not be to individual tastes, but the Committee is tasked with assessing whether the architectural quality and attention to detail that has been evident in phase 1 will be carried through to phases 2a and 2b;
- (f) councillors were keen to ensure that measures will be in place to prevent residents from parking on the riverfront pedestrian and cycle path. Reassurances were offered that the path will remain vehicle free, and measures will be put in place to prevent vehicles from accessing it;
- (g) in answer to councillors' questions, Martin Poole informed the Committee that phase 1 is now more than 2/3 occupied, with only 1 or 2 units remaining to be sold;
- (h) some councillors noted that the shortage of parking spaces was a trade-off against the location and other features of the scheme, which would be taken into account by any purchaser. Potential residents will know in advance that there are only 7 allocated spaces for these 10 dwellings, and that they may need to park on street at times.

RESOLVED to approve the reserved matters for Phase 2B of Planning Permission 13/03029/PFUL3 subject to the indicative conditions listed in the draft decision notice at the end of the report.

Councillor Rule asked that his vote against the above decision be recorded.

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Subject:	Nottingham City Land and Planning Policies Development Plan Document (Local Plan Part 2) – Revised Publication Version
Corporate Director(s)/Director(s):	David Bishop, Deputy Chief Executive/Corporate Director of Development and Growth
Portfolio Holder(s):	Councillor Jane Urquhart, Portfolio Holder for Planning, Housing and Heritage
Report author and contact details:	Peter McAnespie, Partnerships and Local Plans Manager Ph: 0115 876 4068 email: peter.mcanespie@nottinghamcity.gov.uk
Other colleagues who have Provided input:	N/A
Wards affected:	All
Date of consultation with Portfolio Holder(s):	?
Relevant Council Plan Key Theme:	
Strategic Regeneration and Development	<input checked="" type="checkbox"/>
Schools	<input type="checkbox"/>
Planning and Housing	<input checked="" type="checkbox"/>
Community Services	<input type="checkbox"/>
Energy, Sustainability and Customer	<input type="checkbox"/>
Jobs, Growth and Transport	<input checked="" type="checkbox"/>
Adults, Health and Community Sector	<input type="checkbox"/>
Children, Early Intervention and Early Years	<input type="checkbox"/>
Leisure and Culture	<input type="checkbox"/>
Resources and Neighbourhood Regeneration	<input checked="" type="checkbox"/>
Summary of issues (including benefits to citizens/service users):	
<p>Once adopted, the Land and Planning Policies Development Plan Document (LAPP) will form the second part of the City Council's Local Plan for Nottingham City, alongside the Nottingham City Aligned Core Strategy (Local Plan Part 1), which was adopted in September 2014.</p> <p>The LAPP contains detailed Development Management Policies and Site Allocations, to guide future development in the City up to 2028. Importantly, it establishes how the housing and employment and provisions included in the Nottingham City Aligned Core Strategy (2014) will be implemented.</p> <p>The Local Plan will form the statutory Development Plan that all planning authorities must prepare by law. Various changes (including some significant amendments) are proposed to the LAPP prior to its submission for examination, and therefore it is proposed that the LAPP be Published again to allow further representations to be made, but only in respect of the proposed changes.</p> <p>The draft LAPP, Schedule of Changes and related documentation can be found at www.nottinghamcity.gov.uk/revisedpublication.</p>	
Recommendation(s):	
<p>1 That Planning Committee note the publication of the Local Plan Part 2: Land and Planning Policies Document (Revised Publication Version) for a six week period which commenced on 29th September and ends 10th November 2017, to allow formal representations to be made.</p>	

1 REASONS FOR RECOMMENDATIONS

- 1.1 Production of a Local Plan is a statutory requirement. If no Development Plan is in place, the government's default presumption in favour of sustainable development will apply to relevant planning applications, which means that planning applications will be determined having regard to the National Planning Policy Framework, without the benefit of applying locally determined planning policies.
- 1.2 The City Council's adopted Statement of Community Involvement states that Planning Committee should be consulted on the publication of the City's Local Plan.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 Planning legislation requires the City Council to produce a Local Plan. In Nottingham, the Local Plan will comprise the Local Plan Part 1: The Nottingham City Aligned Core Strategy (adopted September 2014) and, on adoption, the Nottingham City Land and Planning Policies Development Plan Document, Local Plan Part 2 (LAPP).
- 2.2 Whilst the Nottingham City Aligned Core Strategy contains the overarching strategic planning policies for the City (and the aligned authorities of Gedling and Broxtowe) the Part 2 Local Plan contains detailed Development Management policies and Site Allocations for Nottingham City. Prior to its adoption, the Local Plan is required to go through a number of formal and informal consultation stages. Publication represents the first formal stage of preparation, and follows extensive informal consultation on the 'Call for Sites', 'Issues and Options', 'Additional Sites' and 'Preferred Option'. All of the informal consultation responses received have been used to inform and shape the Part 2 Local Plan as it has evolved.
- 2.3 The Proposed Changes and the Revised Publication version of the Local Plan were approved for consultation by a Leader's Key Decision on 8th September 2017. The Part 2 Local Plan has now been formally published for a statutory six week period which commenced on Friday 29th September and will end at 5:00pm on Friday 10th November. During this period, individuals and interested parties are able to make representations on the Part 2 Local Plan, which will be considered by an independent Planning Inspector appointed by the government as part of a Public Examination.
- 2.4 The LAPP contains 59 Development Management policies and 79 Site Allocations, with a set of Development Principles for each site.
- 2.5 The 59 Development Management Policies are arranged into the following sections in the document:
 - Climate change
 - Employment Provision and Economic Development
 - Role of the City, Town, District and Local Centres
 - Regeneration
 - Strategic Regeneration Sites
 - Housing Size, Mix and choice
 - Design and Enhancing Local Identity
 - The Historic Environment
 - Local Services and Healthy Lifestyles

- Community Facilities
- Managing Travel Demand
- Green Infrastructure Parks and Open Space
- Biodiversity
- Minerals
- Telecommunications
- Land Contamination, Instability and Pollution
- Hazardous Installations
- Developer Contributions
- Site Allocations

2.6 All of the Site Allocations and City-wide land use designations and constraints have been mapped on the accompanying Policies Map.

2.7 Following Executive Board approval on 17 November 2015, the LAPP was published in January 2016, to allow formal representations to be made. A total of 967 representations were received from 164 different organisations and individuals, including statutory bodies, neighbouring county, district and parish councils, the development industry, utility companies, interest groups and members of the public. The Report of Consultation on the LAPP (Publication Version) is available at www.nottinghamcity.gov.uk/revisedpublication. A separate six week consultation was held to allow formal representations on a new site, the Imperial Tobacco Horizon Factory, as a LAPP allocation for employment uses. This additional consultation closed on 9 November 2016 and resulted in a total of 49 representations from 16 different organisations. Details of this are also in the Report of Consultation on the LAPP (Publication Version).

2.8 The changes proposed to the draft LAPP address comments raised in representations, make factual updates (for instance removing fully completed sites) and increase clarity. In addition, further changes are proposed to address:

- (a) new Government Policy as expressed in the Housing White Paper, February 2017, and in other policy announcements;
- (b) confirmation of the HS2 Safeguarding Direction, which impacts on a LAPP site allocation (PA16 Nottingham Business Park North);
- (c) a review of the delivery of LAPP site allocations, which has confirmed that some are undeliverable within the lifetime of the Plan (to 2028). In addition, the capacity of all sites to accommodate development has been reviewed, and the quantum of housing and employment delivery has been updated where necessary.

2.7 All these changes are included in the Schedule of Changes (Schedule of Changes to the Nottingham City Land and Planning Policies Development Plan Document (Local Plan Part 2), Publication Version, July 2017), which includes changes made to the Policies Map. The majority of these changes are considered to be relatively minor, and do not alter the strategy or broad policy approach of the LAPP. However, some, including the site changes, are considered to be significant in that they could impact on the soundness of the LAPP.

2.8 As such it is necessary to undertake further consultation on these changes, prior to submitting the LAPP for Examination, in order that the Council can be assured that it considers the LAPP to be Sound prior to its Submission. To ensure this further round of consultation does not open up matters which have already been consulted upon to further representations, consultation will be limited to the changes only as set out in the Schedule of Changes. A 'track changes' version of

the LAPP will also be available so that the changes can be seen in the context of the LAPP as a whole. All the consultation documentation can be found at www.nottinghamcity.gov.uk/revisedpublication.

2.9 The following supporting documents were prepared alongside the Publication Version of the LAPP and will be available during the consultation period on the Revised Publication Version, including updates to them in the form of addendums where necessary. The Sustainability Appraisal is a legal requirement of Plan Preparation. These documents, and the LAPP, can also be viewed at: www.nottinghamcity.gov.uk/revisedpublication.

- **Sustainability Appraisal Report and Addendum:** The Sustainability Appraisal has been prepared to fulfil the requirements of the Planning and Compulsory Purchase Act (2004), and the requirements of the EU Strategic Environmental Assessment Directive. The report assesses the economic, social and environmental impacts of all of the policies and site allocations contained in the LAPP, and evaluates reasonable alternatives to these.
- **Site Assessment Document and Addendum:** These documents provide detailed assessments of each site put forward during the LAPP preparation process in terms of planning history, land use, constraints, transport and accessibility, etc.
- **Report of Consultation:** This document details the consultation comments received at the previous Publication Version stage and how these have been addressed in changes to the LAPP.
- **Background Papers:** There are 7 Background Papers in total (Climate Change, Transport, Sustainable, Inclusive and Mixed Communities, Employment Provision and Economic Development, Green Belt, Retail and Minerals) which contain background evidence and the national policy context for specific policies in the LAPP. Addendums to these Background Papers have been prepared where necessary.
- **Infrastructure Delivery Plan:** This document sets out the infrastructure requirements for the City over the plan period, and has been updated to account for the changes to the LAPP where necessary.
- **Equalities Impact Assessment and Addendum:** These documents assesses the impact of the LAPP policies on Protected Characteristics.

Summary of Proposed Changes

2.10 Appendix 1 shows the key changes to the LAPP. It should be noted that this is not a complete list of changes to the LAPP. A complete list can be found at www.nottinghamcity.gov.uk/revisedpublication.

What Happens Next?

2.11 All representations received will be considered and technical drafting changes may be proposed if any factual or minor inaccuracies emerge. These will not be consulted upon again. However, if any further Main Changes (changes which may impact upon the soundness of the Local Plan) are proposed in response to the representations or other key factors, then it is likely that these will need to be subject to further consultation.

The Examination

- 2.12 Assuming that there is no need for further substantial changes to the LAPP, the draft LAPP will be considered by City Council, along with all the supporting documents and representations received (both those received during the first consultation period and any received as a result of the changes consultation), prior to being submitted to the Government to allow an independent Examination by an Inspector. The Inspector will examine the 'soundness' of the whole plan, taking into account all the representations. The Examination is likely to include a public hearing session, when parties making representations may, at the Inspector's discretion, present their views in person.
- 2.13 If the Inspector recommends further changes which are considered necessary to make the Local Plan sound, these will be subject to a period of further consultation, and further hearing sessions may also be required.

Adoption

- 2.14 At the end of the Independent Examination, the Inspector will issue a report that will declare the LAPP sound or unsound. If sound, the City Council can adopt the LAPP. If the LAPP is found to be unsound, then it cannot be adopted.
- 2.15 It is anticipated that if the LAPP is found sound, the City Council will adopt it late 2018.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 There were no other options considered in making these recommendations. Production of a Local Plan is a statutory requirement. If no Development Plan is in place, the government's default presumption in favour of sustainable development will apply to relevant planning applications, which will restrict the City Council's ability to make decisions on these planning applications.

4 FINANCE COLLEAGUE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)

- 4.1 The production of a Local Plan is a statutory requirement for the Council. There are no direct financial implications from the submission of a Local Plan and the work has been undertaken using current existing resources earmarked for this purpose and presents no financial pressure on the Council.

5 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

- 5.1 As indicated in the main body of the report, the Council is under a statutory duty to produce a Local Plan of which the LAPP is part. Requirements relating to the production and adoption of the local plan are prescribed by regulations. The approval of such documents is not the sole function of the Executive and only full Council can approve the submission of the LAPP for independent examination. Whilst there are risks that the Plan (or parts of it) could be found to be unsound or challenged on adoption the LAPP has been the subject of legal advice during its preparation to seek to ensure its compliance with the law and planning policy. Although the LAPP has already been through one period of consultation it is

prudent to carry out a further consultation on the proposed changes (especially those which may affect the Plan's soundness), to strengthen the Council's position at the submission stage.

6 STRATEGIC ASSETS & PROPERTY COLLEAGUE COMMENTS (FOR DECISIONS RELATING TO ALL PROPERTY ASSETS AND ASSOCIATED INFRASTRUCTURE)

- 6.1 Property has been fully consulted as appropriate throughout the preparation of the Nottingham City Land and Planning Policies Development Plan Document (Local Plan Part 2), The LAPP contains a number of sites owned by the City Council the development of which will increase the provision of new homes and employment opportunities, assist in regeneration and generate capital receipts for the Council.

7 SOCIAL VALUE CONSIDERATIONS

- 7.1 The Local Plan addresses a wide range of social value considerations. It contains policies aimed at addressing housing need and providing affordable housing, policies which support economic and job growth, and policies aimed at enhancing health and wellbeing through adequate provision of open space, protecting the environment and controlling hot food take-aways.

8 REGARD TO THE NHS CONSTITUTION

- 8.1 N/A

9 EQUALITY IMPACT ASSESSMENT (EIA)

- 9.1 Has the equality impact of the proposals in this report been assessed?

No

An EIA is not required because:
(Please explain why an EIA is not necessary)

Yes

The EIA is available at www.nottinghamcity.gov.uk/revisedpublication, and due regard will be given to any implications identified in it.

10 LIST OF BACKGROUND PAPERS RELIED UPON IN WRITING THIS REPORT (NOT INCLUDING PUBLISHED DOCUMENTS OR CONFIDENTIAL OR EXEMPT INFORMATION)

- 10.1 Nottingham City Land and Planning Policies Development Plan Document (Local Plan Part 2), Revised Publication Version, July 2017. (Shows the proposed changes as track changes to the original Publication Version, January 2016)
- 10.2 Schedule of Changes to the Nottingham City Land and Planning Policies Development Plan Document (Local Plan Part 2), Publication Version, July 2017.
- 10.3 Nottingham City Land and Planning Policies Development Plan Document (Local Plan Part 2), Publication Version, January 2016.
- 10.4 The Land and Planning Policies Sustainability Appraisal Report, January 2016, and addendum, July 2017.

- 10.5 Report of Consultation for the Nottingham City Land and Planning Policies Development Plan Document (Local Plan Part 2) Publication Version, (Draft Regulation 22 Statement), July 2017.
- 10.6 The Land and Planning Policies Site Assessment Document, January 2016 and addendum, July 2017.
- 10.7 Climate Change Background Paper, January 2016
- 10.8 Retail Background Paper, January 2016 and addendum, July 2017.
- 10.9 Transport Background Paper, January 2016 and addendum, July 2017.
- 10.10 Sustainable, Inclusive and Mixed Communities Background Paper, January 2016 and addendum, July 2017.
- 10.11 Employment Provision and Economic Development Background Paper, January 2016 and addendum, July 2017.
- 10.12 Minerals Background Paper, January 2016 and addendum, July 2017.
- 10.13 Green Belt Background Paper, January 2016.
- 10.14 Infrastructure Delivery Plan, July 2017.

11 PUBLISHED DOCUMENTS REFERRED TO IN THIS REPORT

- 11.1 Department for Communities and Local Government, National Planning Policy Framework, March 2012
- 11.2 Nottingham City Council, Local Plan Part 1: The Nottingham City Aligned Core Strategy, September 2014

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Appendix 1

List of significant changes proposed to the Nottingham City Land and Planning Policies Development Plan Document (Local Plan Part 2), Publication Version, January 2016.

The changes will be submitted for Public Examination alongside the Nottingham City Land and Planning Policies Development Plan Document Publication Version.

Note that this is not a complete list of proposed changes to the Nottingham City Land and Planning Policies Development Plan Document . A complete list can be found at www.nottinghamcity.gov.uk/revisedpublication.

Proposed Changes to Policies

Policy CC1 “Climate Change” - minor amendments are proposed to include feasibility and viability as relevant factors to include when assessing proposals against the policy requirements.

Policy EE3 “Change of Use to Non Employment Uses” – restructured to clarify how the policy will be implemented.

Policy SH4 “Development of Main Town Centre Uses in Edge of Centre or Out of Centre Locations” – amended to clarify how the Sequential Test for proposals for Main Town Centre Uses outside of Town Centres will be applied.

Policy RE8 “Waterside” and associated Justification text – amended to clarify the approach to uses considered incompatible with the regeneration aims of the Waterside, by acknowledging the need to relocate existing businesses and minimise disruption to existing business through sensitive phasing proposals.

Policy HO3 “Affordable Housing” - amended to include the Government’s policy on Starter Homes and take account of the Housing White Paper (2017). Clarification added to make it clear that Affordable Rent is an appropriate type of Affordable Housing that can be provided.

Policy HO5 “Locations for Purpose Built Student Accommodation” - amended to include a requirement that the developer demonstrate the need for the type of student accommodation to be provided, or that they have an agreement with a University or other provider of Higher Education for the bed spaces provided.

Policy HO6 “Houses in Multiple Occupation (HMOs) and Purpose Built Student Accommodation” – new criteria added to ensure new purpose built student accommodation includes appropriate room sizes, adequate communal space, and there are appropriate arrangements for student drop off and collection.

Policy DE1 “Building design and Use” – odour added to list of amenity issues to be considered, and additional criteria to ensure development is designed to

ensure minimisation of waste, and has adequate facilities for the storage, sorting and recycling of waste materials.

Policy DE2 “Context and Place Making” - amended to incorporate Policy DE3 “Design Principles for Development within the City Centre Primary Shopping Area”, which is deleted.

Policy LS1 “Food and Drink Uses and Licensed Entertainment Venues Outside the City Centre” - amended to clarify that the control of Hot Food Take-Aways near schools applies to Secondary Schools, and not to Primary Schools, as Primary School pupils are more likely to be accompanied by a parent or guardian when arriving and leaving, and are unlikely to leave the school premises at lunch times.

LS4 “Public Houses outside the City Centre and/or designated as an Asset of Community Value” – amended to include criteria against which the loss of pubs will be assessed, including requirements to demonstrate adequate marketing.

LS5 “Community Facilities” - cross references the marketing requirements of LS4 (above).

TR1 “Parking and Travel Planning” includes new criteria against which proposals for new car parks will be judged.

EN1 “Development of Open Space” – Policies Map amended to show Elms School detached playing field and the Bowling Green area of Stockhill Park as not included in the Open Space Network, because they are safeguarded for future development.

EN6 “Biodiversity” – Policy clarified to also include Local Geological Sites, and restructured to better comply with the National Planning Policy Framework. New Policy SA1 added “Site Allocations” which clarifies that the site allocations listed in the LAPP have the status of Local Plan Allocations.

Proposed Changes to Site Allocations

Note that this is not a complete list of proposed changes to the Nottingham City Land and Planning Policies Development Plan Document . A complete list can be found at www.nottinghamcity.gov.uk/revisedpublication, which also includes changes to the housing and employment capacities of sites.

PA02 “Blenheim Lane” - Development Principles amended, use class B2 (general industry) added to range of acceptable uses.

PA10 “Piccadilly - Former Henry Mellish School Playing Field” – Development Principles amended in recognition that the development should have regard to the amenity issues of the Poor Clare Monastery.

PA13 “Edwards Lane – Former Haywood School Site” has been deleted due to development being substantially complete.

PA16 “Woodhouse Way - Nottingham Business Park North” – The HS2 Safeguarding Direction renders most of the allocation non developable, and the part of the site affected has been deleted. For the remaining part of the site, the Development Principles have been amended to add retail uses to the range of acceptable uses in recognition of the existing planning permission.

PA21 “Mansfield Road - Sherwood Library” – amended to include desire to replace the current library within any redevelopment scheme.

PA24 “College Way - Melbury School Playing Field” – site area reduced by 0.1 hectare, to reflect the presence of a school garden.

PA25 “Chingford Road Playing Field” – Development Principles amended to ensure the development secures provision of publically accessible and formal on site open space amounting to approximately one third of the site area, which should act as a buffer to protect the setting of heritage assets.

PA27 “Wilkinson Street - Former PZ Cussons” – Development Principles amended to include a school in the range of acceptable uses.

PA28 “Hine Hall” – Deleted as the owners have confirmed the site will not be developed.

PA31 “Ascot Road - Speedo” has been deleted due to development being substantially complete.

PA32 “Beechdale Road – South of Former Co-op Dairy” has been reduced in size to the area which already benefits from Planning Permission, following consultation with the other land owners.

PA39 “Carlton Road – Former Albany Works Site and Coop” – site reduced to reflect the new Lidl development and renamed “Carlton Road – Former Coop”

PA41 “Alfreton Road – Forest Mill” – Office (B1) removed from Development Principles, and food and drink (A2,A3) uses added, to reflect the recent planning permission.

PA42 “Ilkeston Road – Radford Mill” – Employment (B1) removed from Development Principles and student housing added, to reflect the recent planning permission. Site area reduced to exclude the part that is already developed.

PA44 “Derby Road - Sandfield Centre” – Development Principles amended to clarify that predominantly family housing is anticipated on the site.

PA48 “Queens Drive – Land Adjacent to the Portal” – site deleted due to development being substantially complete, and remaining area lower than the 0.5 hectare threshold for inclusion in the Local Plan.

PA51 “Riverside Way” - Deleted due to existing viable uses and following consultation with other land owners. Land in the east of the allocation is appropriate for residential development, but falls below the 0.5 hectare threshold for allocating in the LAPP.

PA56 “Sturgeon Avenue” – site area reduced to exclude existing Residential Care Home.

PA58 “Green Lane – Fairham House” – Development Principles amended to reflect the recent planning permission by removal of employment and family housing.

PA59 “Farnborough Road – Former Fairham Comprehensive School” – Scope for employment uses (B1) added to Development Principles.

PA62 “Creative Quarter – Brook Street East” – Development principles amended to reflect the proposed residential development of the site.

PA63 “Creative Quarter – Brook Street West” – Deleted as the owners have confirmed the site will not be developed.

PA67 “Broadmarsh Centre” – Development Principles amended to reflect the fact that ancillary residential use which is delivered as an integral element of a mixed use scheme would be acceptable.

PA68 “Canal Quarter - Island Site” – Development Principles amended to include a school in the range of acceptable uses, and to clarify that retail provision should be provided in a range of units aimed at serving the needs of the new development, to reflect the adopted Supplementary Planning Guidance.

PA79 “Waterside – Iremonger Road” - Development Principles amended to reflect a desire for residential development at this location by removing employment uses.

PA80 “Waterside - Cattle Market” – Development Principles amended to acknowledge the need to relocate existing businesses and minimise disruption to existing business through sensitive phasing proposals.

PA81 “Waterside - Meadow Lane” – Development Principles amended to acknowledge the need to relocate existing businesses and minimise disruption to existing business through sensitive phasing proposals.

PA82 “Waterside - Freeth Street” – Development Principles amended to acknowledge the need to relocate existing businesses and minimise disruption to existing business through sensitive phasing proposals.

PA83 “Waterside - Daleside Road, Trent Lane Basin” – Development Principles amended to acknowledge the need to relocate existing businesses and minimise disruption to existing business through sensitive phasing proposals. Potential Education use added, together with small scale convenience retail (A1) and restaurant/café use (A3).

PA84 “Waterside – Daleside Road, Eastpoint” - site deleted due to development being substantially complete.

PA85 “Waterside – Trent Lane, Park Yacht Club” – Development Principles amended to remove employment (B1/B2) from proposed uses, to reflect the likely form of development.

PA86 “Thane Road, Horizon Factory” – subject to separate Publication Consultation and added as a specific allocation to provide planning policy assurance that the site remains in employment use.

WARDS AFFECTED: Arboretum

Item No:

**PLANNING COMMITTEE
18th October 2017**

REPORT OF CHIEF PLANNER

2 - 6 Alfreton Road, Nottingham

1 SUMMARY

Application No: 17/01058/PFUL3 for planning permission

Application by: Miss Alice Weston on behalf of Mr Dom Rice

Proposal: Demolition of existing buildings and erection of 35 apartments with commercial floorspace (Use Class A2 and B1) on the ground floor.

The application is brought to Committee because this is a major development on a prominent site where there are important design and heritage considerations. Also, officers may recommend that policy compliant S106 contributions be waived or reduced on the grounds of viability, depending on the awaited conclusions of the District Valuer.

To meet the Council's Performance Targets this application should have been determined by 17th August 2017, but an extension of time has been agreed to 20th November 2017.

2 RECOMMENDATIONS

2.1. GRANT PLANNING PERMISSION SUBJECT to:

- a) Prior completion of a planning obligation which shall include:
 - (i) a financial contribution towards off-site public open space;
 - (ii) a financial contribution towards off-site affordable housing.

Subject to the conclusions of the District Valuer's independent assessment of the developer's viability appraisal as to whether the whole or part of the policy compliant section 106 contributions should be required.

- b) The indicative conditions substantially in the form of those listed in the draft decision notice at the end of this report.

Power to determine the final details of the conditions and the planning obligation to be delegated to the Chief Planner and, in the case of the latter, in consultation with the Committee Chair, Vice-Chair and Opposition Spokesperson, and subject to him being satisfied that the obligation sought complies with the provisions of Regulation 122(2) of the Community Infrastructure Levy Regulations 2010.

- 2.2 That Councillors are satisfied that Regulation 122(2) Community Infrastructure Levy Regulations 2010 is complied with, in that the planning obligation sought is (a) necessary to make the development acceptable in planning terms, (b) directly related to the development and (c) fairly and reasonably related in scale and kind to the development.

- 2.3 That Councillors are satisfied that the section 106 obligation(s) sought that relate to infrastructure would not exceed the permissible number of obligations according to the Regulation 123 (3) Community Infrastructure Levy Regulations 2010.

3 BACKGROUND

2-6 Alfreton Road is located at Canning Circus which is formed by the junctions of Derby Road, Wollaton Street, Talbot Street, Alfreton Road, St Helen's and Ilkeston Road. The site has been partially cleared and the remaining buildings are in a very poor state following fire damage on two occasions. The area comprises a mix of commercial and residential premises. To the rear of the site is the General Cemetery, which is a Registered Historic Park and Garden. The site is located within the Canning Circus Conservation Area and it also sits opposite the Gamble Street/Alfreton Road Conservation Area. Canning Terrace, a row of residential properties that abuts 2 Alfreton Road, is a Grade II Listed Building. The site is designated as a Local Shopping Area on the Proposals Map of the Local Plan.

4 DETAILS OF THE PROPOSAL

- 4.1 The proposal relates to a development of 35 studio flats with a commercial unit at ground floor. The design of the scheme has been revised since the application was originally submitted. The residential accommodation is to be provided within what would appear as two buildings, adjoined by a glazed link that also functions as the main entrance. Both buildings would front on to Alfreton Road; the building closest to Canning Terrace would be two storeys in height and the building abutting 8 Alfreton Road would be three storeys. To the rear of the site, which is bounded by the General Cemetery, would be a communal courtyard. The courtyard would only be accessible by the occupants of the development, and would provide space for cycle and bin storage. No car parking would be provided as part of the development. Although the development comprises studios units the applicant has advised that they will not be marketed at students, but rather to young professionals and post graduates. It is indicated that the applicant will build out the scheme, then market the units themselves and continue to oversee the management of the accommodation.
- 4.2 The developer has indicated that they will work with the Council's Employment and Skills team to meet employment targets relating to construction jobs for residents and trainees.

5 CONSULTATIONS AND OBSERVATIONS OF OTHER OFFICERS

Adjoining occupiers consulted:

- 5.1 26 Neighbouring properties were notified of the development by letter and the application was publicised through a site and press notice. 4 representations have been received as a result of this publicity.
- 5.2 The majority of the representations received support the redevelopment of the site which has been used for anti-social activities in the past. Only one representation raises an objection to the scheme querying the need for additional housing in the area and highlighting the lack of public car parking facilities in the area.
- 5.3 A representation has also been received from the Nottingham Civic Society. They object to the design of the scheme and consider that the replacement buildings

should be of sufficient quality to justify the demolition of the remaining two storey buildings on the fire damaged site. The design of the scheme should therefore be reconsidered.

Additional consultation letters sent to:

Environmental Health and Safer Places: No objections to the proposal, but have requested the provision of a sound insulation scheme and a whole building ventilation system.

Highways: No objections but have requested the submission of a construction management plan, and that the development should not be occupied until bin storage facilities have been provided and redundant dropped kerbs reinstated to footway.

Drainage: No objections to the proposed development.

Ecologist: No objections, but have requested that the developer is made aware of the recommendations made within the ecological appraisal submitted with the application, and that updated survey work should be undertaken if the development is not commenced within a year.

Archaeologist: Although there are no known caves within the 2-6 Alfreton Road boundary, this does not preclude the possibility that caves do exist within the site. There are 4 caves within a 30m radius of the site, at the following locations: 1 Alfreton Road; 16 Alfreton Road; 21 Alfreton Road and beneath the junction of Alfreton Road and St Helen's Street. A condition should be attached to any decision requiring an investigation of the basements of the properties to establish whether there are any indications of caves being present (for example changes in brickwork which could suggest an opening has been blocked). The potential for caves on the site should also be considered during ground investigation works. Should any caves be encountered during works on the site the applicant is requested to contact the Acting City Archaeologist immediately.

6 RELEVANT POLICIES AND GUIDANCE

National Planning Policy Framework (March 2012):

- 6.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policies. 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.
- 6.2 The NPPF advises that there is a presumption in favour of sustainable development. Paragraph 17 of the NPPF lists the core planning principles that should underpin decision making 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 conserve heritage assets in a manner appropriate to their significance.
- 6.3 Paragraphs 56-64 of the NPPF sets out the approach for achieving good quality design, including responding to local character, creating a strong sense of place and resisting poor design that fails to take opportunities to improve the character and the quality of an area.

- 6.4 Paragraph 111 states that planning decisions should encourage the effective use of land by re-using land that has been previously developed.
- 6.5 Also of relevance to this application is section 12 of the NPPF that relates to conserving and enhancing the historic environment.

Nottingham Local Plan (November 2005):

Policy ST1 – Sustainable Communities

Policy S6 – Non Retail Uses

Policy BE12 - Development in Conservation Areas

Policy BE10- Development within the Curtilage, or Affecting the Setting of a Listed Building

Policy BE13 – Demolition in Conservation Area

Policy BE14 – Historic Parks and Gardens

Policy BE16 – Archaeology

Policy NE9 – Pollution

Policy H2 – Density

Policy H5 – Affordable Housing

Policy R2 – Provision of Open Space in Developments

Aligned Core Strategy (September 2014):

Policy 8 – Housing Size, Mix and Choice

Policy 11 – The Historic Environment

Policy 10 – Design and Enhancing Local Identity

Policy 17 – Biodiversity

Policy 19 – Developer Contributions

Supplementary Planning Policy

Provision of Public Open Space

Affordable Housing and Developer Contributions

7. APPRAISAL OF PROPOSED DEVELOPMENT

Main Issues

- (i) Principle of development**
- (ii) Principle of demolition**
- (iii) Design considerations and impact on the Canning Circus Conservation Area and adjacent Listed Buildings**
- (iv) Residential amenity**
- (v) Planning Obligations**

Issue (i) Principle of Development (NPPF, Policies ST1 and S6 of the Local Plan, and Policy 8 of the ACS)

- 7.1 The majority of the development fronting Alfreton Road would comprise a commercial unit that has been designed with a shop front. Although the site is within a Local Shopping Area, Policy S6 does allow non-retail uses where there would be no detrimental impact on the vitality and viability of the surrounding area. This site is at the south eastern extremity of the Alfreton Road Shopping Area where the retail units diminish. The immediate Canning Circus vicinity is more mixed with a number of A3/A4 uses and residential units. In this context this largely residential scheme is considered to be acceptable in principle. The provision of the commercial unit at ground floor facing onto Alfreton Road respects the mix of uses in the area and provides an opportunity to create an active street frontage which would assist in enhancing the vitality of the area, which is welcomed.
- 7.2 As this is a mixed area of commercial, retail and residential uses, it is not felt that the proposal would be contrary to the aims of creating balanced communities. Additionally the site is in a very central and attractive location for accessibility and facilities. It is therefore concluded that the type of housing proposed is acceptable.
- 7.3 The development accords with economic and sustainability aims of the NPPF, as well as policies ST1 and S6 of the Local Plan and policy 8 of the ACS.

Issue (ii) Principle of Demolition (NPPF, Policies BE12 and BE13 of the Local Plan and Policy 11 of the ACS)

- 7.4 The site is partially derelict as a result of two fires that have occurred. The structural survey submitted concludes that the buildings on site should be demolished as a result of the damage they have suffered. The Heritage Statement submitted correctly concludes that the site has a negative impact on the Conservation Area. The impact of the demolition of the remaining buildings on site and its redevelopment would make a positive contribution to the Conservation Area. It is considered that these benefits are significant and in terms of the NPPF, policy BE13 of the Local Plan and policy 11 of the ACS, the proposal is acceptable. The enhancements to the Conservation Area as a result of the demolition and redevelopment comply with policy BE12.

Issue (iii) Design considerations and Impact on the Canning Circus Conservation Area and adjacent Listed Buildings (NPPF, Policies BE10, BE12 and BE14 of the Local Plan, and Policies 10 and 11 of the ACS)

- 7.5 Following the redesign of the scheme it is considered that the proposal responds extremely well to the site context. The buildings match the height of 8 Alfreton Road

and the rest of the terrace, and the height of the scheme steps down to Canning Terrace. It is of comparable depth to the existing buildings and has a similar fenestration pattern, albeit having its own distinct and contemporary style. It would mainly be constructed of brick and would have detailing within its window reveals. The part of the development next to Canning Circus has been designed to echo the existing white building at this location. There is a lift which would be located just to the side of the main entrance between the three storey and two storey element which is proposed to be clad in zinc and has been designed to be an angular feature. There are on-going discussions regarding the proposed entrance and the external design of the lift.

- 7.6 Overall the design of the development respects the existing buildings relationship with 8 Alfreton Road and the character of the Alfreton Road shopping area. Whilst the provision of a two storey building to the side of Canning Terrace respects their special architectural and historic character and does not interfere with their prominent visual position within the Canning Circus Conservation Area. The provision of the courtyard to the rear, together with the design of the rear elevation assists in maintaining the character and appearance of the General Cemetery. The development would enhance the character and appearance of the Canning Circus Conservation Area and the General Cemetery and have a positive impact on the setting of neighbouring listed buildings. The proposal therefore complies with the design and heritage sections of the NPPF, policies BE10, BE12 and BE14 of the Local Plan and policies 10 and 11 of the Local Plan.

Issue (iv) Residential Amenity (NPPF, Policies H2 and NE9 of the Local Plan and Policy 10 of the ACS)

- 7.7 The proposed studios would range in size from 20 square metres to 22 square metres. The orientation of the majority of units within the site would provide occupants with good levels of amenity in terms of privacy, sunlight and outlook. As a result of the development's design and siting it would have no adverse impact on any neighbouring properties in regards to privacy, daylight or outlook.
- 7.8 Although it is not the intention for these units to be marketed to students, a management plan can be secured through condition, to allow for this possibility and to ensure that the development has no undue impact on the amenity of future or existing neighbouring occupants.
- 7.9 Environmental Health and Safer Places have requested conditions to secure the provision of a sound insulation scheme and a whole building ventilation scheme, which would assist in providing a good living environment for future occupants.
- 7.10 Through the use of conditions it is considered that the development complies with the NPPF, policies H2 and NE9 of the Local Plan and policy 10 of the ACS.

Issue (v) Planning obligations (Policy 19 of the Aligned Core Strategy, Policy ST1 and Policy R2 of the Local Plan)

- 7.11 For this development to be policy compliant the expected planning obligations would be:
- a financial contribution towards off-site public open space
 - a financial contribution towards off-site affordable housing

- 7.12 The contribution required for a development of this scale towards public open space would be £7,379 and would be used for infrastructure improvements at the Arboretum. The off-site contribution towards affordable housing would be £236,950.
- 7.13 The applicant has submitted a viability appraisal in support of its assertion that the proposed development would not be viable based upon the provision of the full S106 developer contributions that the scheme would otherwise be required to meet. The appraisal is currently being reviewed by the District Valuer. An update on this independent assessment will be reported in the Committee Update Sheet.
- 7.14 With regards the public open space contribution, it is considered that Section 106 obligation(s) sought would not exceed the permissible number of obligations according to the Regulation 123 (3) Community Infrastructure Levy Regulations 2010.

Other Matters (Policies 10 and 17 of the Aligned Core Strategy and Policy BE16 of the Local Plan)

- 7.15 It is noted that one of the representations received from a neighbouring property related to the non-provision of car parking with this development. In this instance this is considered to be acceptable as the site is at the edge of Alfreton Road Local Shopping Centre and close to the City Centre and public transport facilities. The matters raised by Highway colleagues and the Ecologist can be secured through condition. As the ecology report submitted details the need for new surveys to be undertaken if the development is not commenced within a year, compliance with the recommendations of the report will cover the issues raised by Ecology. A condition is also recommended to address the potential for caves. Through the use of conditions the proposal complies with policies 10 and 17 of the Aligned Core Strategy and policy BE16 of the Local Plan.

8. SUSTAINABILITY / BIODIVERSITY

The site is located in a sustainable location and would bring back into use a long term vacant and derelict site. Conditions can be used to ensure that the building reduces its use of natural resources and that biodiversity is enhanced.

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 a long term brownfield site with a high quality, sustainable, mixed use development.

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

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

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: 17/01058/PFUL3 - link to online case file:

<http://publicaccess.nottinghamcity.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OPS887LYK5J00>

17 Published documents referred to in compiling this report

Nottingham Local Plan (November 2005)
Aligned Core Strategy (September 2014)

Contact Officer:

Miss Jenny Cole, Case Officer, Development Management.


Email: jenny.cole@nottinghamcity.gov.uk Telephone: 0115 8764027

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Key
 City Boundary

Description
 No description provided

My Ref: 17/01058/PFUL3 (PP-06055633)
Your Ref:
Contact: Miss Jenny Cole
Email: development.management@nottinghamcity.gov.uk



Miss Alice Weston
34 Cuppin Street
Chester
CH1 3BN
Cheshire

Date of decision:

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

Application No: 17/01058/PFUL3 (PP-06055633)
Application by: Mr Dom Rice
Location: 2 - 6 Alfreton Road, Nottingham, NG7 3NG
Proposal: Demolition of existing buildings and erection of 35 apartments with commercial floorspace (Use Class A2 and B1) on the ground floor.

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. <i>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.</i>
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 shall not be commenced until details of a Remediation Strategy that includes the following components to deal with the risks associated with ground gas contamination of the site 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 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: To safeguard the health and residential amenity of the occupants of the proposed development to comply with Policy NE9 of the Nottingham Local Plan.

3. The development and any associated demolition shall not take place until 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 demolition and construction period 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 and;
 - (i) A timetable for its implementation.

Reason: In the interests of highway safety and to accord with Policy 10 of the ACS

4. Notwithstanding the submitted plans, above ground development shall not commence until full details of external materials for the buildings have been submitted to and approved in writing by the Local Planning Authority. The information shall include:

- a) Material samples;
- b) Details of windows and reveals; and
- c) Details of all means of enclosure

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

Reason: In order to ensure an appropriate quality of finish to the approved development in accordance with Policy BE12 and 13 of the Local Plan and Policy 10 of the Aligned Core Strategy.

5. Prior to the commencement of development an investigation of the basements to the former properties on site shall be undertaken, the findings of the investigation shall be submitted to and approved in writing by the Local Planning Authority. The findings shall set out specifications for conducting any further survey work and arrangements for:

- (a) the recording of any finds made during the watching brief and for the preparation of a final report;
 - (b) the deposition of the records of finds, and any significant finds, capable of removal from the site, in a registered museum; and
 - (c) proposals for the publication of a summary of the final report in an appropriate journal.
- The archaeological works approved under this condition shall be carried out in accordance with the approved specification.

Reason: In order to safeguard archaeological resources in accordance with Policy BE16 of the Local Plan.

6. Prior to the commencement of the development, a sound insulation scheme shall be submitted to and be approved in writing by the Local Planning Authority based on the report by Patrick Parsons ref: P3210 dated May 2017 and the recommendations within.

The recommendations should be submitted within a stand-alone remedial method statement and should include predicted noise levels for any plant such as Air Conditioning and/or Air Handling Units and equipment which will form part of the development.

Reason: To safeguard the residential amenity of future occupants to accord with Policy NE9 of the Local Plan and Policy 10 of the ACS.

7. Prior to the commencement of the development, an Air Quality Management scheme shall be submitted to and be approved in writing by the Local Planning Authority based on the report Hydrock, Ref: C-05367-C-AQ-20170502 P02, dated April 2017 and the recommendations within.

The recommendations should be submitted within a stand-alone remedial method statement.

Reason: To safeguard the residential amenity of future occupants to accord with Policy NE9 of the Local Plan and Policy 10 of the ACS.

8. The hard surfacing of all external areas shall not be commenced until details of the materials to be used 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.

Pre-occupation conditions

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

9. The residential units shall not be occupied until details of an Accommodation Management Plan have been submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of the operators of the development who shall be responsible for the actions of its occupants and for implementing and enforcing the measures within the Management Plan. The measures within the Management Plan shall ensure that occupants do not create noise and disturbance for neighbouring residents that the premises are kept clean and tidy.

Reason: To protect the amenity of neighbouring occupiers and to ensure that the appearance of the development is satisfactory in accordance with Policies H6 and NE9 of the Local Plan and Policy 10 of the Aligned Core Strategy.

10. The development shall not be occupied until a Travel Plan has been submitted to and approved in writing to the Local Planning Authority. On first occupation the Travel Plan shall be implemented at all times.

Reason: To promote more sustainable forms of travel and to accord with Policy 14 of the ACS

11. 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 safeguard the residential amenity of future occupants to accord with Policy NE9 of the Local Plan and Policy 10 of the ACS.

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

Reason: To safeguard the residential amenity of future occupants to accord with Policy NE9 of the Local Plan and Policy 10 of the ACS.

13. The development hereby approved shall not be occupied until bin storage and cycle storage facilities have been provided in accordance with the approved plans.

Reason: To safeguard the residential amenity of future occupants to accord with Policy NE9 of the Local Plan and Policy 10 of the ACS.

14. The development shall not be occupied until the dropped vehicular kerb and gap in the guard railing made redundant by virtue of this development has been reinstated in accordance with details that shall first have submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to accord with Policy 10 of the ACS

15. The development shall not be occupied until a landscaping scheme for the site, 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 any 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.

16. 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 public health and safety to comply with Policy NE12 of the Nottingham Local Plan.

Regulatory/ongoing conditions

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

17. The development shall be completed in full accordance with the mitigation, compensation, enhancement and further survey recommendations set out in section 6 of the Preliminary Ecological Appraisal and Daytime Bat Survey dated April 2017.

Reason: To enhance the biodiversity of the site to accord with Policy 17 of the ACS

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 18 May 2017.

Reason: To determine the scope of this permission.

Informatives



DRAFT ONLY

Not for issue

1. Planning consent is not consent to work on the highway. To carry out the reinstatement of the dropped vehicular crossing, 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

It is a legal requirement to display a street nameplate on the building. Please contact Highway Network Management on 0115 8765293 to discuss requirements.

2. Archaeology

Although there are no known caves within the 2-6 Alfreton Road boundary, this does not preclude the possibility that caves do exist within the site. There are 4 caves within a 30m radius of the site, at the following locations: 1 Alfreton Road; 16 Alfreton Road; 21 Alfreton Road and beneath the junction of Alfreton Road and St Helen's Street.

Caves are occasionally discovered, where they had previously been unknown, during groundworks on construction sites and other caves are being identified frequently through research (100 new caves, some of which exist on Alfreton Road, have been identified in the past 11 months, with a total of approximately 800 known caves in the city). Changes in brickwork during basement survey would suggest an opening has been blocked. The potential for caves on the site should also be considered during ground investigation works. Should any caves be encountered during works on the site the applicant is requested to contact the Acting City Archaeologist immediately at scott.lomax@nottinghamcity.gov.uk or 0115 8761854

3. 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.

The approved whole building ventilation scheme [including any additional mitigation measures], shall be shall be maintained, serviced and operated in accordance with manufacturer's recommendations while the development continues to be occupied.

The combined noise from the whole building ventilation scheme, any other environmental noise and noise from plant and equipment must not exceed NR 25 in bedrooms between the hours of 23.00 and 07.00 or NR 30 for living rooms and bedrooms between the hours of 07.00 and 23.00.

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: 17/01058/PFUL3 (PP-06055633)

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.