

REPORT OF HEAD OF DEVELOPMENT MANAGEMENT AND REGENERATION

Cedars Hospital, Foster Drive

1 SUMMARY

Application No: 15/02805/PFUL3 for planning permission

Application by: Gilling Dod Architects on behalf of Capital Project Manager - Nottinghamshire Healthcare NHS

Proposal: Cedars Hospital, Mansfield Road, Nottingham - Specialist services building for children, young people and families and associated works.

The application is brought to Committee because it is a major application on a prominent site, where there are important land-use, design or heritage considerations.

To meet the Council's Performance Targets this application should be determined by 3rd February 2016

2 RECOMMENDATIONS

GRANT PLANNING PERMISSION subject to the indicative 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 Head of Development Management and Regeneration.

3 BACKGROUND

3.1 The application site is the former Cedars Hospital and its grounds, which is advised to have closed on 30 June 2006. The site is located on the west side of Mansfield Road (A60), proximate to the junction with Valley Road. The site is bounded by residential properties on its three other sides with Rushcliffe Rise to the north, Joyce Avenue to the west and The Cedars to the south. There are significant falls in levels across the site, being a 2.0m fall from the south to north boundary, and an 8.0m fall from the west boundary to the east boundary with Mansfield Road.

3.2 The site currently contains three buildings: the Cedars Building, which is a primarily single storey complex of interlinked buildings located to the north-west corner of the site; the SPAN Building (Skills and Practical Activities Network), which is a one and two storey 'U-shaped' building west of centre to the south of the site; and the Headway Bungalow, which is a small building that is east of centre to the middle of the site. Notably there is extensive tree cover within the site and particularly along the north, west and southern boundaries of the site, substantially screening the existing buildings from view from Mansfield Road in particular.

- 3.3 The site forms approximately the northern half of The Cedars Conservation Area, with the southern half also having been part of the former larger hospital site and having been previously developed with residential properties and including two listed buildings. The character of the Conservation Area is that of relatively low buildings in treed and landscaped grounds.
- 3.4 Planning permission for the demolition of the existing Cedars Building and the Headway Bungalow building has been recently granted ref. 15/02730/PFUL3. Neither building was considered to have any special architectural or historic interest, both being relatively modern structures, and their deteriorating vandalised condition was considered to be blighting the amenity of the Conservation Area.

4 DETAILS OF THE PROPOSAL

- 4.1 The application proposes the development of two buildings and the refurbishment and alteration of a third. The buildings are referred to as the Adolescent Unit, the Perinatal Unit & Outpatient Facility, and the Education & Community Building (formerly SPAN).
- 4.2 The proposed Adolescent Unit would be sited on the site of the existing Cedars Building. This would be the largest of the site buildings and includes a main two storey centrally located main reception element, with the rest of the building being single storey and arranged in a twisted figure of eight plan that includes courtyard spaces within the plan for patient use. The building would provide specialist inpatient care for vulnerable young people.
- 4.3 The main two storey flat roofed element of the Adolescent Unit would be constructed in a brown brick ground floor base with 'Trespa' cladding system being applied in randomly arranged vertical panels across the first floor and using a range of brown/bronze tones. The main entrance of the building would be in an abstract shape to highlight its position and would be finished in a metal cladding system. The surrounding single storey pitched roofed elements of the Adolescent Unit would be finished in a through coloured off-white render and a brown brick, with a canopied roof in a grey metal roof cladding system.
- 4.4 The Perinatal Unit & Outpatient Facility would be sited at the location of the existing Headway Bungalow building. It is proposed that this larger building would have an identical architectural aesthetic to the Adolescent Unit, with its single, two storey and main entrance having common design elements and the same finishes as the Adolescent Unit.
- 4.5 The Education & Community Building, being a refurbishment and alteration of the existing SPAN building, does not involve significant changes and uses minor elements of 'Trespa' cladding and off-white render as a means to visually connect the building to the two proposed new buildings.
- 4.6 Accesses to the site are proposed as improved pedestrian and vehicular routes off Mansfield Road and Joyce Avenue, with the latter being for staff and emergency access only and not visitors and service vehicles that would be required to use the Mansfield Road access. There would be three parking areas within the site, being related to each of the proposed three buildings and providing a total of 82 general parking spaces, 6 assisted parking spaces, and 2 electric charge points. 20 covered cycle parking spaces are also being provided across the site.

- 4.7 The proposals would result in the clearance and reduction of the existing tree cover to the east of the site to facilitate the site access and the formation of level plateaus for the proposed Perinatal Unit & Outpatient Facility building and car parking. A tree replacement strategy is also proposed to the north of the main Mansfield Road entrance to reinforce the canopy and wooded character of the retained trees and in compensation for the proposed loss. The screening of the site and buildings from its immediate neighbours with hedgerow planting to the boundaries is also being proposed where there are gaps in the existing cover.

5 CONSULTATIONS AND OBSERVATIONS OF OTHER OFFICERS

Adjoining occupiers consulted:

23 – 35(o) Joyce Avenue
4, 5 Joyce Close
1 – 27(o) Rushcliffe Rise
1 – 6 (consec.), 8, 47 – 54 (consec.) The Cedars
777, 779 Mansfield Road
Nottingham Woodthorpe Hospital, 748 Mansfield Road
1 – 18 (consec.) Brindley Court, Egerton Road

The application has also been advertised by press and site notices.

Responses

Neighbour, 23 Joyce Avenue: Concern regarding parking on Joyce Avenue and that access to property may be affected. Joyce Avenue is a 'cut through' for traffic at peak times and do not wish to see proposed development affecting the quality of home life on the street.

Neighbour, 30 Joyce Avenue: Concern that over 50% of the vehicles will be accessing the development from the Joyce Avenue entrance. Already have concerns to the significant increase in traffic volume along Joyce Avenue due to it being used as a cut through. When the Cedars was in use the parking along Joyce Avenue was diabolical.

Neighbour, 3 Rushcliffe Rise: Objection. Already fed up with vehicles using the estate as a cut through from the Mansfield Road or Perry Road without additional traffic and further parking problems. Staff and patients to the development should use the Mansfield Road entrance for parking.

Neighbour, 39 Joyce Avenue: Feel that the development is a great idea and would rather see the site used for something useful than remain in a derelict state. However, have major concerns with the planned vehicular access. To use Joyce Avenue as the main staffing entrance is impracticable and of major inconvenience to the people who live here due to the already crowded roads at evenings and weekends from parked cars on the street and traffic using the route thoroughfare. We urge reconsideration of the plans to make all access points from Mansfield Road.

Neighbour, 28 Joyce Avenue: Welcome the redevelopment of this site however, concerned about the access to and from this site via Joyce Avenue and that staff and visitors will park on Joyce Avenue due to parking demand not being met on site. All staff will have their own vehicle and will use these for work. Concerned that

if street parking is significantly increased this will affect noise, pollution, road safety for children and access to our own properties and driveways. Also have significant concerns about how cars will access the Joyce Avenue entrance via narrow streets, causing wider delays and congestion. Feel that if the site access was via Mansfield Road only then this would limit of the impact on the surrounding residential area. Query if a residents' parking scheme is being considered.

Additional consultation letters sent to:

Ward Councillors: Have raised concerns regarding parking issues on Joyce Avenue and whether access to the development is capable of being served off Mansfield Road.

Highways: No objection subject to conditions relating to: the investigation of temporary and permanent Traffic Regulation Orders relevant to the scheme design and function; submission of a detailed Travel Plan prior to occupation; detailed design of the Joyce Avenue entrance; implementation of the parking areas prior to first use of the development; provision of secure and sheltered cycle parking spaces; and traffic management measures in relation to construction traffic.

Biodiversity: The application is accompanied by an ecological assessment, which has found evidence of badgers. Concerned that proposals to close the sett and plans for re-development of the area has regard to the associated legislation and policy guidance and am discussing this with the developer's ecologist.

Pollution Control: No objection.

Nottinghamshire County Council: The section of Mansfield Road where the eastern access is located is within Nottinghamshire County Council's administrative area. The existing vehicle access arrangements onto Mansfield Road are satisfactory to accommodate the potential increase in vehicles. Notwithstanding this, it should be noted that the layout plan should be amended to show visibility splays of 47m onto Mansfield Road. Advise that the City Council should determine the acceptability of the submitted Travel Plan. The County Council is broadly satisfied with the methodology of the Transport Statement in assessing an appropriate level of parking to serve the development. However, there is a discrepancy between the number of spaces referred to in this document (107) and the number being provided on site (90) which needs to be justified. Predictions for visitors also seem to be low. A more detailed analysis of likely visitor numbers, including drop-offs and pick-ups should be provided. Designated visitor parking spaces within the Mansfield Road parking area could help. Also recommend that some overflow parking spaces are provided (10) off Mansfield Road.

Gedling Borough Council: No objection. The proposal involves the re-use of an existing brownfield urban site, which is generally consistent with the ACS Policy 2 of urban concentration and regeneration. ACS Policy 12 supports new community services where there is a need, with a preference for central sites, & elsewhere where locations are accessible by a range of sustainable transport. Given the site was previously used as a psychiatric hospital & the scale of floorspace required, the Borough Council considers this location meets the requirements of Policy 12

In addition to specialist care, the proposal would also provide a significant number of jobs.

The location is well served by existing bus services & is accessible by cycling & walking, consistent with ACS Policy 14. The Borough Council would request that the proposed use has sufficient off-street parking provided.

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 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 contribute to conserving and enhancing the natural environment and support the transition to a low carbon future.
- 6.3 Paragraph 34 states that plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.
- 6.4 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.
- 6.5 Paragraph 96 states that new development should be expected to take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.
- 6.6 Paragraph 111 states that planning decisions should encourage the effective use of land by re-using land that has been previously developed.
- 6.7 Paragraph 118 states that local planning authorities should aim to conserve and enhance biodiversity by applying a range of principles including that if significant harm cannot be avoided, mitigated or as a last resort compensated, then permission should be refused.
- 6.8 Paragraph 131 states that in determining planning applications, local planning authorities should take account of:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - the desirability of new development making a positive contribution to local character and distinctiveness.
- 6.9 Annex 1 states that the NPPF aims to strengthen local decision making and

reinforce the importance of up-to-date plans. For the purpose of decision-taking, the policies in the Local Plan should not be considered out-of-date and are to be afforded weight in accordance with their conformity with the NPPF.

Nottingham Local Plan (November 2005):

BE12: Development in Conservation Areas

NE3: Conservation of Species

NE5: Trees

T3: Car, Cycle and Servicing Parking

Aligned Core Strategies (September 2014)

Policy A: Presumption in Favour of Sustainable Development

Policy 1: Climate Change

Policy 2: The Spatial Strategy

Policy 4: Employment Provision and Economic Development

Policy 10: Design and Enhancing Local Identity

Policy 11: The Historic Environment

Policy 12: Local Services and Healthy Lifestyles

Policy 14: Managing Travel Demand

Policy 17: Biodiversity

7. APPRAISAL OF PROPOSED DEVELOPMENT

Main Issues

Whether:

- (i) The principle of the development of the site for the proposed healthcare facility is appropriate to the site and area;
- (ii) The proposed development will impact significantly upon the amenity of neighbouring properties;
- (iii) The highways impacts of the proposed development have been recognised and appropriate mitigation provided;
- (iv) The development will preserve or enhance the character or appearance of the The Cedars Conservation Area;
- (v) The proposed development will impact unacceptably on the ecology of the site.

Issue (i) Principle of the development of a healthcare facility (Policies A, 4 and 12)

- 7.1 The previous healthcare use of the site is recognised. The applicant states that the redevelopment of the site is advantageous due to its close proximity to existing operational hospital facilities and that this was a logical conclusion to the project's development rather than developing a new site outside of the city area. It is also stated that the proposal will generate economic and employment opportunities both directly and indirectly and that the employment opportunity will range from skilled to non-skilled vacancies during the operational lifetime of the buildings.
- 7.2 It is considered that the principle of the development of the site for the proposed healthcare facility is appropriate to the site and area and that the site is located at a position that is accessible by a range of sustainable transport modes in accordance with Policies A and 12. The benefits of the proposed development to the employment provision and economic development of the area are also very clear in accordance with Policy 4. The larger scale of the proposed facility and consideration of its impacts upon the local area is discussed below.

Issue (ii) Impact upon the amenity of neighbouring properties (Policy 10)

- 7.3 The on-going vacancy, deterioration and vandalism of the existing buildings have been an issue that has impacted upon the amenity of the local area and neighbouring properties. The approved demolition of two of the existing buildings and the noted support of several residents to the proposed redevelopment will therefore help to secure and improve the amenity of local residents and the area.
- 7.4 The proposed buildings are to be located in the position of existing buildings and do, therefore, have a common general relationship with neighbouring properties. It is, however, noted that the applicant has sought to minimise any physical impact that the proposed new buildings would have on their neighbours. This is particularly the case in relation to the proposed Adolescent Unit, where the two storey element is located well within the site and where there is a proposed single storey relationship with the rear of properties on Rushcliffe Rise and Joyce Avenue. Whilst it is noted that the fall in levels across will result in parts of the north elevation of the proposed building being effectively two storeys in height, the applicant has also deliberately positioned the building further away from the boundary with these neighbours and has recently amended the layout plan further to provide greater separation than is afforded by the positioning of the current buildings. Additional tree and hedge planting along the boundaries with neighbours is also proposed. It is, therefore considered that the layout and design of the proposed buildings would not have any significant impact upon the amenities of neighbouring properties.

Issue (iii) Highway impacts (Policy T3 and Policy 14)

- 7.5 Whilst the response to local consultation has indicated support in principle for the proposed development, it is clear that there are concerns regarding the impact that the proposed use, scale and layout of development would have on traffic movements and parking on the residential streets to the rear of the site, and particularly Rushcliffe Rise and Joyce Avenue.
- 7.6 The application submission includes a Transport Statement, which concludes that

the additional vehicular trips generated by the proposed development will not have a negative impact upon the highway network's capacity and that the proposed provision of 90 car parking spaces will meet the predicted peak demand (79 vehicles at 1600 during the week). The applicant advises that this assessment has been based on NHS data relating to shift patterns that would bring the proposed development in line with the Thorneywood AU unit. In relation to visitor numbers, the applicant advises that, whilst it is difficult to calculate exactly how many visitors would attend the site on a typical weekday, it is considered that the majority of those would visit outside peak hours, with 60 being allowed for across a typical day, 32 of which would arrive after 1700 and with access to 40 visitor spaces. The applicant also advises that they would agree to provide a Car Parking Management Plan as a condition of consent, requiring that car parking is monitored over a 12 month period. An area of the site is also to be safeguarded for the provision of 10 additional parking bays if necessary and the applicant has indicated that they would also be willing to review the need for a Traffic Regulation Order. It is therefore concluded that the parking provision proposed will be sufficient to accommodate the anticipated vehicle demand.

- 7.7 The applicant advises that the Joyce Avenue access to the rear of the site would be designated a secure staff, refuse and emergency only entrance, with other servicing being carried out from the Mansfield Road entrance. Appropriate signage would be installed to ensure that all visitors are directed towards the proposed main vehicular entrance on Mansfield Road. The applicant advises that, as part of the design development of the scheme and clinical brief, a decision was made to provide secure and controlled movement between the Adolescent Unit and Education buildings. The pedestrian zone being provided between the two buildings has been made intentionally compact to allow easier control but large enough to allow for emergency vehicle access if required. The applicant therefore advises that the use of Joyce Avenue as a staff access to car parking to the rear of the site is crucial in order to that the pedestrianised links between the buildings are not compromised.
- 7.8 Whilst there have been no objections to the proposed development on highways grounds from either the City Highways team or Nottinghamshire County Council Highways, there has been sensitivity that the surrounding residents should not be affected by the proposed development, including the need for a more detailed analysis of likely visitor numbers, including drop-offs and pick-ups, and an investigation of temporary and permanent Traffic Regulation Orders. The applicant's further information has been forwarded to the City and County Highways teams for comment. However, at this time it is considered that the further information and commitments within the response do provide a high degree of assurance that the level of car parking provision being proposed is appropriate to the development and that safeguards through planning conditions requiring the submission of a detailed Travel Plan, visitor car parking off Mansfield Road only, provision of a Car Parking Management Plan and further mitigation by Traffic Regulation Order if necessary will ensure that surrounding residents are not significantly affected.
- 7.9 It is noted that the previous healthcare use of the site would have the potential to generate a significant proportion of the traffic movements and that the site is also considered to be situated in a sustainable location, with ready access to a developed network of public transport, cycle and walking facilities. On this basis it is considered that there are no fundamental issues in relation to the highway impacts of the proposed development and that, subject to conditions, the proposed

development would accord with Policy T3 and Policy 14. An update on this issue will be provided to the Committee meeting.

Issue (iv) Character or appearance of the Conservation Area (Policy BE12, NE5 and Policy 11)

- 7.10 The application site forms a substantial part of The Cedars Conservation Area. The identity of the Conservation Area is substantially that of low rise buildings within a treed and landscaped setting. The proposed development would maintain this low rise character and introduces two new buildings that, with a common architectural aesthetic and improved landscape setting, will provide the site with a new identity that is considered will suit the therapeutic nature of the services that the development will offer.
- 7.11 The proposed development preserves the majority of the existing site trees, with those on the Mansfield Road boundary having been reviewed to ensure minimum loss. The provision of supplementary planting and appropriate on-going management of the site landscaping is to be welcomed.
- 7.12 Accordingly it is considered that the character and appearance would be enhanced by the proposed development, with appropriate planning conditions also being recommended to ensure that the detailed design and materials of the proposed development are provided in the interests of ensuring that the quality of the design is maintained at the construction phase.

Issue (v) Ecological Impact (Paragraph 118 of the NPPF, Policy NE3 of the Local Plan, Policy 17 of the ACS)

- 7.13 A badger sett within the site has been closed in November 2015 under licence from Natural England. Since this sett was closed the applicant had advised that badger activity may have moved within the site and that this would be monitored. Monitoring has been carried out over December and January where there have been few signs of activity. Accordingly it is now considered that the site does not represent a significantly important habitat for badgers. Monitoring will however continue throughout the rest of January. The potential for the creation of a new artificial sett is also being discussed with the applicant. It is therefore considered that the proposed development accords with Policy NE3 and Policy 17.

8. SUSTAINABILITY (Policy 1)

- 8.1 The design strategy for the new buildings is to provide an enhanced building envelope, with improved levels of thermal performance for the walls, roof, floors and windows, and an enhanced level of airtightness over and above that required for Building Regulation approval. It is stated that, combined with the use of a highly efficient building services installation, this will minimize the environmental impact and the energy required to operate and run the site. The feasibility of a range of low carbon and renewable technologies including photovoltaic installation and a combined heat and power unit is also being investigated during the detailed design stage of the proposed development.

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

Improving life chances for young people.

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: 15/02805/PFUL3 - link to online case file:

<http://publicaccess.nottinghamcity.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=NXA6FBLYCB000>

2. Pollution Control, 23.11.15

3. Highways, 14.12.15

4. Biodiversity, 11.11.15

5. City resident, 24.11.15

6. City resident, 25.11.15

7. City resident, 2.12.15

8. City resident, 5.12.15

9. City resident, 10.12.15

10. Gedling Borough Council, 8.12.15

11. Nottinghamshire County Council, 23.12.15

17 Published documents referred to in compiling this report

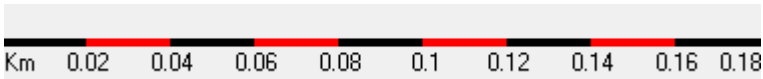
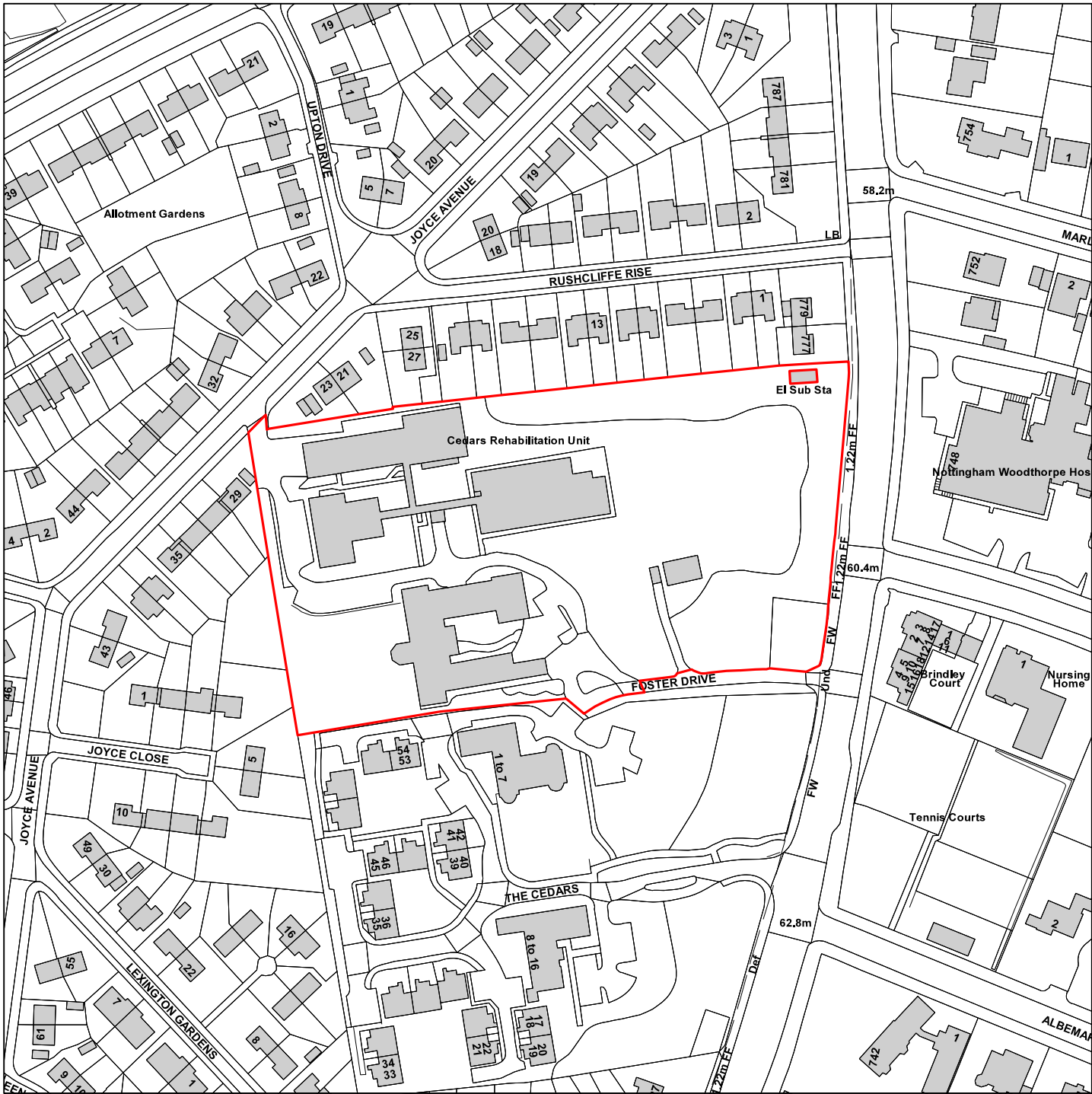
Nottingham Local Plan (November 2005)

Aligned Core Strategies (September 2014)

Contact Officer:

Mr Jim Rae, Case Officer, Development Management.

Email: jim.rae@nottinghamcity.gov.uk. Telephone: 0115 8764074



My Ref: 15/02805/PFUL3 (PP-04605861)
Your Ref:
Contact: Mr Jim Rae
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

Gilling Dod Architects
Mr Scott Wilkinson
The Cruck Barn
Duxbury Park
Chorley
Lancashire
PR7 4AT
United Kingdom

Date of decision:

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

Application No: 15/02805/PFUL3 (PP-04605861)
Application by: Capital Project Manager - Nottinghamshire Healthcare NHS ...
Location: Cedars Hospital, Foster Drive, Nottingham
Proposal: Cedars Hospital, Mansfield Road, Nottingham - Specialist services building for children, young people and families and associated works.

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 approved development shall not commence until a detailed design for the disposal of the surface water has been submitted and approved in writing by the Local Planning Authority. The submission shall include details of the proposed Sustainable Drainage Systems (SuDS) and maintenance regimes that will apply to these features throughout the lifetime of the development.

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



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Not for issue

Continued...

3. Before any above ground development commences, large-scale elevation and section drawings to show the detailed design of each building (e.g. scale 1:50 and/or 1:20) shall be submitted to and approved in writing by the Local Planning Authority. The submissions shall incorporate details of:
- a) Elevations: including cladding and glazing systems; window types, reveals, soffits, entrances, doors, and any handrails;
 - b) Roofs: including edges, soffits, and parapets;
 - c) Plant: including enclosures, ventilation systems, and other similar elements;
 - d) Associated features: including walls, fences and screens.

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

Reason: In order to ensure that the detailed design of these areas are consistent with the high quality of the development and in accordance with Policy 10 of the Adopted Core Strategy 2014.

4. No development shall commence until samples of the external materials of the buildings have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the appearance of the development will be satisfactory in accordance with Policy 10 of the Aligned Core Strategies.

5. No development shall commence until details of all hard surface treatments, including the roads, footways, and parking areas, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the appearance of the development will be satisfactory in accordance with Policy 10 of the Aligned Core Strategies.

6. Notwithstanding the details included within the submission, no development shall commence until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type, height, species (with a preference towards the use of native species and suitable species that will attract/create ecological assets) and location of the proposed trees, hedges and shrubs, design of the tree pits/trenches and aeration pipes, and a timetable for the implementation of the scheme.

Reason: In the interests of the appearance of the development in accordance with Policy 10 of the Aligned Core Strategy and NE5 of the Local Plan.

7. No development hereby permitted shall commence until wheel washing facilities have been installed on the site. The wheel washing facilities shall be maintained in working order at all times and shall be used by any vehicle carrying mud, dirt or other debris on its wheels before leaving the site so that no mud, dirt or other debris is discharged or carried on to a public road.

Reason: In the interests of highway safety.

Pre-occupation conditions

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

8. The development shall not be brought into first use until the drainage and Sustainable Drainage Systems (SuDS) have been implemented in accordance with the details that are to be submitted to and approved by the Local Planning Authority under Condition 2 of this consent.

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

9. The development shall not be brought into first use until all the car parking spaces have been provided in accordance with the approved plans and are available for staff and visitor use.

Reason: In the interests of ensuring that the appropriate level of car parking provision associated with the proposed development is provided prior to the first use of the development and to ensure that car parking associated with the development does not impact upon the amenity of residents on the surrounding residential streets in accordance with Policy 10 of the Aligned Core Strategies and Policy T3 of the Nottingham Local Plan.

10. The development shall not be brought into first use until a fully detailed Travel Plan, covering all proposed initiatives to promote sustainable transport at the site, has been submitted to and approved by the Local Planning Authority. The submission shall include the name and contact details of the Travel Plan Coordinator.

Reason: To promote sustainable travel and to ensure that car parking associated with the development does not impact upon the amenity of residents on the surrounding residential streets in accordance with Policy 10 of the Aligned Core Strategies and Policy T3 of the Nottingham Local Plan.

11. i) The development shall not be brought into first use until a Car Parking Management Plan, designed to minimise the likelihood of on-street parking by users of the development on surrounding roads, has been submitted to and approved by the Local Planning Authority. The Car Parking Management Plan shall identify measures that will be put in place to regulate and monitor the car parking use of the site for a minimum period of 12 months following the first use of the development. The approved Car Parking Management Plan shall thereafter be implemented in accordance with the approved details.

ii) A report detailing the operation of the Car Parking Management Plan, and its impact on on-street parking, shall be submitted to and approved by the Local Planning Authority no later than 13 months from the first use of the development. Any measures that are subsequently deemed to be required upon the review of this report shall thereafter be incorporated into the Car Parking Management Plan and shall be maintained unless the Local Planning Authority gives written consent to any further variation.

Reason: In order ensure that car parking associated with the development does not impact upon the amenity of residents on the surrounding residential streets in accordance with Policy 10 of the Aligned Core Strategies and Policy T3 of the Nottingham Local Plan.

Regulatory/ongoing conditions

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

12. The development hereby permitted shall be implemented in accordance with the Arboricultural Method Statement that forms part of the approved documents of this consent. The approved tree protection measures shall be retained throughout the duration of construction operations and shall not be varied unless with the further written consent of the Local Planning Authority.

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

13. The approved landscaping scheme for the approved development shall be carried out in the first planting and seeding seasons following the occupation or completion of the development of that phase, whichever is the sooner, and 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 similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the appearance of the development is satisfactory in accordance with Policy 10 of the Aligned Core Strategies.

14. The vehicular access off Joyce Avenue to the rear of the site shall be used by staff, refuse and emergency vehicles only and shall not be used by visiting members of the public at any time (who shall be directed to use the alternative vehicular access and car parking provision off Mansfield Road) unless otherwise agreed in writing by the Local Planning Authority .

Reason: In the interests of regulating the use of the vehicular access off Joyce Avenue in order ensure that car parking associated with the development does not impact upon the amenity of residents on the surrounding residential streets in accordance with Policy 10 of the Aligned Core Strategies and Policy T3 of the Nottingham Local Plan.

15. The actions and measures contained within the approved Travel Plan shall be implemented at all times, including annual travel surveys, submitting annual travel plan updates to the Local Planning Authority, and invoking remedial measures in the event of any shortfall in the progress towards agreed targets.

Reason: To promote sustainable travel and to ensure that car parking associated with the development does not impact upon the amenity of residents on the surrounding residential streets in accordance with Policy 10 of the Aligned Core Strategies and Policy T3 of the Nottingham 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 following drawings/documents:
Drawing reference NTE/2227/002 revision P2
As listed on Drawing Issue Sheet reference 7246-GDA-BB-ZZ-A9-CC-SC-LL-002, received 2 December 2105

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



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DRAFT ⁴ ONLY

Not for issue

Continued...

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. 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.

3. Highways

- 1) It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it from occurring.
- 2) The above proposal may involve works on the public highway on land outside your control. There may be elements where you are required to submit technical details for approval under a Section 278 process to the Highway Authority before development commences such as TRO works, redundant footway reinstatement etc. For further information regarding this process including technical approval please contact Network Management 0115 876 5293.
- 3) The applicant is to ensure that the access off Joyce Avenue (within the City boundary) has a road safety audit to investigate if it requires upgrading to ensure highway safety. If required all works should be carried out as part of a Section 278 agreement and the design agreed with the highway authority through the process including the position of gates.
- 4) Please contact our drainage experts Paul Daniels 0115 8765275 or Nick Raycraft 0115 8765279 to discuss drainage.
- 5) To progress the TRO investigation and implementation please contact Scott Harrison 0115 8765245.
- 6) The Highways Network Management Team at Loxley House should be notified regarding when the works will be carried out as disturbance to the highway will occur. Please contact them on 0115 876 5238 at the earliest convenience.
- 7) The applicant is advised to contact Scott Talbot 0115 8765225 in the first instance to discuss road safety issues.
- 8) The applicant is advised to contact Kerry Peruzza 0115 8763947 to progress the Travel Plan and sustainable transport initiatives.

4. Noise Control: hours of work and equipment during demolition/construction
To assist with project planning, reduce the likelihood of justified complaint and avoid costly restriction and development delays, 'acceptable hours' are detailed below:-

Monday to Friday: 0730-1800 (noisy operations restricted to 0800-1800)
Saturday: 0830-1700 (noisy operations restricted to 0830-1700)
Sunday: at no time
Bank Holidays: at no time

Work outside these hours may be acceptable but must be agreed with Nottingham City Council's Pollution Control Section (Tel: 0115 9152020).

Equipment

All equipment shall be properly maintained, serviced and operated in accordance with the manufacturer's recommendations and with appropriate noise suppression/silencers.

Dust/Grit and other fugitive emissions

Construction and demolition work invariably generates grit and dust, which can be carried offsite and cause a Statutory Nuisance, and have a detrimental effect on local air quality.

Contractors are expected to use appropriate methods to minimise fugitive emissions, reduce the likelihood of justified complaint and avoid costly restriction and development delays. Appropriate methods include:-

Flexible plastic sheeting
Water sprays/damping down of spoil and demolition waste
Wheel washing
Periodic road cleaning

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: 15/02805/PFUL3 (PP-04605861)

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.