

**REPORT OF HEAD OF DEVELOPMENT MANAGEMENT AND REGENERATION**

**Broad Marsh Multi Storey Car Park And Bus Station, Collin Street**

**1 SUMMARY**

Application No: 15/03034/NFUL3 for planning permission

Application by: Leonard Design Architects on behalf of Nottingham City Council

Proposal: Refurbishment and redevelopment of Broadmarsh multi storey car park, including change of use and extensions to Carrington St and Collins St frontages to provide uses within A1- A5 (shops, financial and professional services, restaurants and cafes, drinking establishments and hot food takeaways) and ancillary public facilities; re-cladding of car park structure; reconfigure bus station layout and relocation of car park entrance to Middle Hill.

The application is brought to Committee because it relates to a development on a prominent site where there are important land use, design and heritage considerations.

To meet the Council's Performance Targets this application should have been determined by 22nd January 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 Head of Development Management.

**3 BACKGROUND**

**The site**

- 3.1 The application site comprises the Broadmarsh multi storey car park and bus station (to be referred to as the "Broadmarsh car park"), which is bounded by Collin Street, Middle Hill, Canal Street and Carrington Street. It is a 1970s concrete and brick structure constructed contemporaneously with the Broadmarsh shopping centre, which is located immediately to the north. It currently houses a bus station and various ancillary facilities, including a Cycle Hub and a Shopmobility facility on the ground floor with a car park providing 1179 spaces on the upper floors.
- 3.2 To the east is Middle Hill and the NET viaduct, beyond which is a site cleared for redevelopment. To the south are Canal Street and the Crown Court building. To the west is Carrington Street which is a mix of retail and office uses.
- 3.3 The west side of Carrington Street, opposite the Broadmarsh car park, is situated within the Canal Conservation Area.

## **Context**

3.4 The proposals for the Broadmarsh car park form part of a wider programme of works to transform the southern part of the City Centre which it is anticipated will bring the following benefits:

- Boost the local economy by £1.1 billion per annum;
- Create 2,900 more jobs (with local training and recruitment);
- Attract three million more annual visitors to experience new retail, education, and leisure;
- Restore the City Centre's profile and reputation;
- Bring £25 million extra spend to the city per year;
- Improve the quality of 1,150 parking spaces;
- A new Skills Hub for 18,750 students;
- Link this part of the City to the Castle which will be transformed into a world-class destination through a £24m scheme;
- Improve and modernise the Broadmarsh bus station.

The improvement of the Broadmarsh area is therefore a high priority for the City Council and is seen as vitally important to the successful future of the southern part of the City Centre. The changes proposed to the car park will be an integral part of this transformation.

3.5 Planning permission (ref. 15/00950/PFUL3) has already been granted for a major refurbishment of the Broadmarsh shopping centre and to the east it is anticipated there will be a proposal for a further education Skills Hub on the site known as Broadmarsh East. There is also a programme of wider initiatives to improve the environmental quality of the surrounding streets, to create better pedestrian priority and public realm. This will involve the pedestrianisation of Collin Street and Carrington Street, and the remodelling of sections of Canal Street and Middle Hill as shared spaces. Whilst these wider public realm proposals are being developed concurrently with the proposals for the Broadmarsh car park, they will be the subject of a separate legal processes under the Highways Act and are also currently the subject of separate public consultation.

## **4 DETAILS OF THE PROPOSAL**

4.1 Planning permission is sought for the refurbishment and redevelopment of Broadmarsh car park. This includes:

- Change of use and extensions to the Carrington St and Collins St frontages to provide A1 - A5 uses (shops, financial and professional services, restaurants and cafes, drinking establishments and hot food takeaways) and ancillary public facilities;
- Re-cladding of the car park structure and re-location of the car park access and egress point to Middle Hill;
- The reconfiguration of the bus station layout and moving the egress point for buses closer to the junction of Canal Street and Middle Hill.

4.2 It should be noted that the proposals are part of a phased programme of works, as briefly described in paras 3.4 -3.5, which are interlinked with the proposed pedestrianisation of Carrington Street and Collin Street and alterations on Canal Street and Middle Hill. The submitted drawings indicatively show the changes to the surrounding streets but these are not part of this planning application and the design and layout of these is being developed separately.

In more detail the scheme comprises the following elements:

- 4.3 Level 00– reconfiguration to create an enlarged concourse to the bus station with ancillary facilities, including a travel centre and Shopmobility facility, alterations to the bus station layout and the creation of three commercial units on the Carrington Street frontage for uses falling within Classes A1 –A5. The units would project into Carrington Street by approximately 7 metres and be accessed from the street. A pedestrian access to the bus station, in a revised location and configuration would be retained from Carrington Street.
- 4.4 Level 1 – Three further commercial units are proposed on the north side of the car park, one at the corner of Carrington Street and Collin Street and two facing Collin Street. The latter two units would project slightly forward from the building. The corner unit is proposed to include escalators at the rear to provide a route directly to the bus station concourse on Level 00. A cycle storage facility is proposed on this level which would be directly accessed from Collin Street. The vehicular access/egress to the car park is also proposed at this level and would be relocated from Collin Street to Middle Hill.
- 4.5 The remaining levels of the car park would remain substantially unaltered and would be refurbished.
- 4.6 The total amount of commercial floorspace proposed is 4470 sq m. The number of car parking spaces would be reduced by 80, to 1099 spaces.
- 4.7 It is also proposed to completely overclad the existing car park structure with a variety of treatments to the four elevations. The proposed overcladding materials are vertical glass fins, metallic push/pull cladding, horizontal louvres and large format metal cladding, used in different combinations on the four elevations. The retail units to be created on the Carrington Street and Collin Street elevations are expressed as separate frameless glazed elements set within metal “goalposts”. The unit at the corner of Carrington Street and Collin Street incorporates a frameless glazing system and cantilevered canopy. A free standing screen/wall is also proposed on the Canal Street elevation to provide a defined edge to the new public realm.

## **5 CONSULTATIONS AND OBSERVATIONS OF OTHER OFFICERS**

### **Adjoining occupiers consulted:**

- 5.1 2, 6-10, 12, 18, Basement, 20, First Floor and Second Floor 20, 22-26, 28-30, First Floor 28-30, 81, 85 Carrington Street  
Centre Manager Broadmarsh Centre  
Crown Court, 60 Canal Street
- 5.2 The application has also been advertised on site and in the press. The expiry date for comments was 06.01.2015.
- 5.3 Three individual citizens have commented directly on the planning application, as summarised below:
- An air quality assessment is required as the site lies within an Air Quality Management Area;
  - Noise, air and light pollution studies should be carried out to assess the impact of the development on residential properties on Canal Street, Cliff Road, Kings Court, Shortwood Close and Hartnett Close; support for re-cladding the car park

- as very ugly building;
- Changes to the bus station will improve the passenger environment and safety but concern about the ability of the bus station to support the level of operation.

A fourth citizen has also submitted comments on the planning application but these refer solely to the changes to the surrounding public realm.

**Historic England:** No objection and make the following comments:

- Broadmarsh multi storey car park is not of historic or architectural interest, but considers its location adjacent to the Canal Conservation Area, the Lace Market Cliff, and on the main pedestrian access to the city centre, make it strategically important;
- Aspirations for Carrington Street, Collin Street and Canal Street mean that the shortcomings of this building in terms of active frontages and attractive elevations have correctly been identified as areas where improvements need to be made to improve the amenity of the Canal Conservation area, which is at risk;
- Reference the suggestion that the demolition of the existing car park building and the construction of a new building would provide a far greater opportunity and agree with this view. However, are conscious of the resource constraints and hope that the proposal offers best value in the medium to long term;
- Advise that "wrapping" car park elevations is an accepted way of modifying "dead" frontages, and welcome this as part of the strategy to revitalise the commercial frontages south of Collin Street;
- Comment that the approach to design should be rooted in an understanding of the character of the area and be a positive response to it; the extent to which the envisaged additions do this is far from clear. The scale of the buildings along the west side of Carrington Street is varied but it makes a harmonious whole, deserving of conservation area designation. The use of contemporary, high quality natural materials would respond most effectively to this;
- Therefore advise that scrutiny is given to the choice of materials and where necessary, amendments secured at this stage to ensure that materials of an appropriate type and quality can be specified.

**Biodiversity Officer:** No objection as of limited ecological value and there is negligible potential to support roosting bats. However does identify that there seems to be no aspiration or provision for enhancing the ecological value of the building as an aspect to the development. Considers the refurbishment of the car park represents an ideal opportunity to create some natural greenspace in an otherwise very built up part of the city, perhaps with the inclusion of a green or brown roof.

**Environment Agency:** No objection.

**Highways:** No objection.

**Drainage:** No objection. Should consider the inclusion of SUDS features and seek to achieve Greenfield run-off rates. Request a condition requiring the submission of details of the disposal of surface water.

**Noise and Pollution Control:** No objection. Plant, air handling units and extraction from the food premises proposed and other areas of the building have the potential to cause noise and odour nuisance to neighbouring businesses. Recommend conditions regarding extraction equipment to avoid odour nuisance, and an

environmental noise assessment and any necessary mitigation measures to address noise from plant and air handling equipment.

**Nottingham Civic Society:** Concerned about this application and raise the following comments:

- Changes proposed to the car park are integral to the alterations to the public realm on Collin Street and Carrington Street. In both cases, it would be necessary to adjust the ground levels, raising the ground level via steps and ramps to create the frontage to new commercial units in order to achieve level access and outdoor seating.
- The application is devoid of details of the public realm design and have no confidence at this stage that an appropriate new public space can be delivered;
- The new commercial units wrapped around the north and west faces of parts of the car park will help to humanise Collin Street but it will remain a wide and potentially bleak space without sufficient activity. This is exacerbated by the lack of ambition of the approved intu Broadmarsh scheme;
- No plans to show how pedestrian priority is being achieved at the new junctions around the car park, particularly in the north-east corner;
- Concern about the re-distribution of bus stops in the Broadmarsh area, because this could prejudice those who need easy access to public transport;
- Conclude that whilst the work to humanise the townscape around the Broadmarsh car park is welcomed, are concerned about the details of the public realm works illustrated in this application but which are not part of it. Consider that until the Arndale car park can be removed, it seems premature to try to make Collins Street into an important public space.

**Nottingham Local Access Forum:**

- Note that many aspects of the car park and bus station proposals depend on changes to the road and transport pattern which are outside the scope of the application;
- The Forum is concerned to ensure that there is nothing within the application that will prejudice the future improvement of the area. In this context make the following comments;
- Pedestrian access to the bus station and car park is a key aspect;
- Retained link to Tanners Walk is crucial and would like this to be a 24 hour route
- Support the creation of a new pedestrian access at the corner of Collin Street and Carrington Street;
- Disappointing that the most direct route between the bus station and railway station will not be replicated in the proposal. Consider it important that the new access to Carrington Street is very gradually ramped;
- Welcome a safely designed pedestrian access to the car park from Collin Street.
- Should be smooth interchange between bus and cycle, easy and safe access to the road network, and safe storage facilities;
- Provision for taxi and mini-cab pick-up and set down is not clear and need to ensure easy and safe change between bus and taxi.

**Pedals:** Concerned that the plans are not sufficiently developed to make a considered judgement but on the basis of the information currently available, raise a number of detailed queries about the provision for cyclists both in the context of the changes to the internal layout of the car park/bus station, which impact upon the existing cycle hub, and the wider changes to the highway network around the car park.

## **Design Review Panel:**

An earlier iteration of the scheme was considered by a Design Review Panel in July 2015 as part of the pre-application process. The following comments were made:

### *General*

- Encouraged by the plans put forward for revitalising the Broadmarsh car park, welcoming its refurbishment given its current very run down state and how it relates poorly to its wider context;
- The design approach adopted utilising a contemporary cladding style works well, but given the mass of the building the arrangement of the panels will be fundamental to ensure it does not appear monotonous;
- For a building which currently offers nothing to the streets it fronts, then the activation of each elevation will significantly improve how the building and the surrounding area is perceived;

Also examined the following aspects in more detail:

### *External appearance*

- Welcomed the use of an anodised aluminium cladding system. However, concerned that given the fine grain of the material being used, on the scale of this structure it could look monolithic. Highlighted the need for the cladding to relate to and express the existing structure of the building. Stressed the need to introduce articulation and emphasise the rhythm and verticality of the structure so it reads stronger. A suggestion that some of the vertical panels could vary in depth was put forward. Whether the cladding could offer different degrees of visibility was also suggested, with encouragement given to the working with a lighting artist;
- Same cladding approach does not necessarily have to be used on each elevation, given the different characters of the streets they front. Drew attention to the travel hub, suggesting an alternative treatment so that it reads as a different element to the commercial units.

### *Photovoltaics*

- Expressed concern about the inclusion of photovoltaics on the Canal Street elevation. Careful treatment needed to ensure they are successfully integrated into the design. Queried whether the photovoltaics could be accommodated on a canopy on the roof, where they would have minimal visual impact. Also suggested the incorporation of a living wall as a means of greening up the structure and making a strong visual statement.

### *Bus station screen*

- Recognised the need for a barrier to separate the bus station forecourt and its moving buses from the Canal Street footway. However, considered that rather than just a glazed screen, whether it could be a structure of more permanence with the possible integration of bus shelters, to provide some enclosure and have more presence on Canal Street.

### *Carrington Street and Collin Street retail units*

- Welcomed the activation of the Carrington Street and Collin Street elevations with the addition of new retail units. Considered that the Carrington Street units worked well in extending out onto the street and were disappointed that the same approach had not been applied to Collin Street. Considered that more height and depth should be given to these units to help narrow the overly wide Collin Street;
- Recommended that if the width of Collin Street is to be retained, the facade should open out to allow and encourage the spilling out onto Collin Street;
- Considered the potential of a retail unit occupying the Carrington Street/Canal Street corner, rather than the entrance to the bus station taking priority.

### *Location of digital media screen*

- Concerned that proposed position on the corner of Canal Street and Carrington Street would compete with the views of the Castle, offering only a distraction; Considered that if a digital media screen were to be incorporated, the Collin Street elevation could possibly offer a more appropriate location, placing it in the glazed structure over the services area.

#### *Internal arrangement and the market*

- Concerned how the proposed commercial space at the corner of Carrington Street and Collin Street would look when not in use and at night;
- Questioned whether some of the proposed ground floor uses could be moved onto the first floor, such as the Shopmobility, though understood the reasoning for its ground floor location based on operational use and staffing efficiency.

#### *Concourse*

- Highlighted that in separating the concourse from the market/commercial space with a physical barrier, the concourse needs to feel animated and overlooked when the space is not being used, particularly at night to ensure a safe environment;
- Need a direct pedestrian route from the bus station concourse to the junction of Middle Hill and Canal Street and considered this could be successfully achieved with minor rearrangement.

#### *Overall conclusions*

- Welcomed plans to transform and modernise the Broadmarsh car park and bus station. Importance of this site to the broader transformation of the southern part of the City Centre makes it a critical one to get right;
- Retaining the bus station in its current location, relating its configuration to the Station and the incorporation of the travel hub are all positives, together with introducing of active frontages on Carrington Street and Collin Street which will have a significant role in revitalising these streets and creating a successful southern gateway into the City Centre;
- Ensuring the internal space offers activity, with not necessarily the reliance on a market, will also have a resultant impact on how well the building works;
- The design approach is commended, although careful consideration is needed to the arrangement of the cladding.

## **6 RELEVANT POLICIES AND GUIDANCE**

### **National Planning Policy Framework**

- 6.1 The NPPF emphasises the important role that planning plays in delivering sustainable development. Paragraph 7 explains that key to this is building a strong responsive and competitive economy, supporting strong, vibrant and healthy communities by creating high quality built environments with accessible local services that reflect the communities needs and which supports its social wellbeing by protecting and enhancing the natural, built and historic environment.
- 6.2 Paragraph 14 states that there is a presumption in favour of sustainable development and that development should be approved, without delay, where it accords with the development plan.
- 6.3 Paragraph 17 sets out the core planning principles, many of which apply to the proposed development. They include, amongst others, the requirements to proactively drive and support sustainable economic development; secure high quality design; support the transition to a low carbon future, taking full account of flood risk and encouraging the reuse of existing resources and the use of renewable resources; contribute to reducing pollution; and managing patterns of

growth to the make the fullest use of public transport, walking and cycling and to focus significant development in locations which are or can be made sustainable.

- 6.4 Paragraph 23 sets out the approach to ensuring the vitality of town centres. It recognises town centres as the heart of their communities and advises policies should be pursued to support their viability and vitality. It promotes competitive town centres that provide customer choice and a diverse retail offer and which reflect the individuality of town centres. A range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential development needed in town centres should be allocated.
- 6.5 Paragraph 52 attaches great importance to the design of the built environment and states that good design is a key aspect of sustainable development, indivisible from good planning. Paragraph 58 encourages developments to establish a sense of place, using streetscapes and buildings to create attractive and comfortable places to work. It advises further that developments should function well and add to the quality of the area over the lifetime of the development.
- 6.6 Paragraph 61 states that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.
- 6.7 Paragraphs 128 and 129 consider the requirement to conserve and enhance the historic environment when determining planning applications. It is advised the applicant should describe the significance of any heritage assets affected, including any contribution made by their setting. Local planning authorities are required to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset). This assessment should take into account the need to avoid or minimise conflict between the heritage assets conservation and any aspect of the proposal.
- 6.8 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.
- 6.9 **Nottingham Local Plan (November 2005):**
- S1: New retail development in the City Centre
  - S7: Food and Drink
  - BE10: Development within the curtilage, or affecting the setting, of a listed building
  - BE12: Development in Conservation Areas
  - NE3: Conservation of species
  - NE9: Pollution
  - NE10: Water quality and flood protection



T3: Car, cycles and servicing parking

#### 6.10 **Aligned Core Strategy (2014)**

Policy A: Presumption in Favour of Sustainable Development

Policy 1: Climate Change

Policy 4: Employment Provision and Economic Development

Policy 5: Nottingham City Centre

Policy 10: Design and Enhancing Local Identity

Policy 11: The Historic Environment

Policy 14: Managing Travel Demand

Policy 17: Biodiversity

#### 6.11 **Nottingham City Centre Urban Design Guide (May 2009)**

This guide provides a physical framework and promotes the highest standard of urban design and architecture for the city centre. The Broadmarsh development site falls within the area identified as the 'zone of reinvention' which is defined as areas in which the urban form is largely beyond repair. Broadmarsh is specifically identified as being reinvented through the proposals for the shopping centre and its surroundings.

### 7. **APPRAISAL OF PROPOSED DEVELOPMENT**

#### **Main issues**

(i) Principle of the development

(ii) Design and layout, including impact upon the character and appearance of the adjacent Canal Conservation Area and listed buildings.

**(i) Principle of the development** (Local Plan policies S1, S7 and ACS policies A, 4, and 5)

7.1 The proposals for the Broadmarsh car park are part of the wider proposals to transform the southern part of the City Centre as set out in paras 3.3 -3.5. The improvement of the Broadmarsh area is therefore a high priority for the City Council and is seen as vitally important to the successful future of the southern part of the City Centre. The changes proposed to the car park will be an integral part of this transformation.

7.2 In physical terms the car park building is currently an unattractive and tired feature of this part of the City Centre and does little to contribute to its surroundings. It is in a critical location on the main route between the City Centre and the Station yet currently has little positive effect. The proposals seek to address this by re-inventing the existing building through refurbishment, comprehensive re-cladding and by creating activity along the Carrington Street and Collin Street edges with the

addition of commercial units to these elevations. This will improve and modernise the Broadmarsh bus station; improve the quality of 1,150 parking spaces and assist in the attraction of three million more annual visitors to experience new retail, education and leisure facilities.

- 7.3 The uses proposed for the commercial units, Classes A1 – A5 (shops, financial and professional services, restaurants and cafes, drinking establishments and hot food takeaways) are appropriate City Centre uses. The existing bus station and car park, together with complementary facilities, are key City Centre uses which are to be retained, enhanced and modernised. The changes proposed to the car park would make a significant contribution to the regeneration and overall success of the area.
- 7.4 Local Plan policies S1, S7 and ACS policies A, 4 and 5 are therefore satisfied.

**(ii) Design and layout, including impact upon the character and appearance of adjacent conservation areas and listed buildings** (Local Plan policies BE10 and BE12 and ACS policies 10 and 11)

- 7.5 As set out in the previous section, the existing Broadmarsh car park is currently in a run down state and relates poorly to its wider context. The proposals now under consideration are seeking to address these shortcomings by making alterations both to the external appearance of the building and to the internal layout on Level 00 and Level 1.
- 7.6 The proposals for the alterations to the external appearance are intended to both improve the appearance of the building and to introduce activity, where none currently exists, on the Carrington Street and Collin Street frontages. The proposals for Carrington Street and Collin Street have been developed in the context of the proposed pedestrianisation of these streets, which are indicatively shown on the drawings submitted as part of the planning application. It should be noted that the detailed design work for the alterations to the public realm is underway but not yet fully developed. However, given that the City Council is responsible for the both the Broadmarsh car park and public realm works, it can be ensured that the two are fully integrated. The comments of the Civic Society in this respect are acknowledged. In response, to ensure that the proposals which are the subject of this application would integrate with the eventual changes to the public realm conditions are recommended requiring that before the development commences details relating to various individual elements of the scheme shall be submitted.
- 7.7 The re-cladding of the car park is considered to be an acceptable way to modify its appearance subject to an appropriate choice of materials and to their use being fully considered, to ensure that the mass of the building is broken up. This is an issue identified by the Design Review Panel at the pre-application stage. Since that time both the cladding proposals and the approach to creating the commercial units along the Carrington Street and Collin Street frontages have been significantly amended. The car park cladding now involves a palette of four contemporary materials which are used in different ways to respond to the varying context of the four elevations of the car park. It is now considered that the approach provides the required interest, articulation, verticality and variety to each of the four elevations, which are all visible to public view.
- 7.8 The commercial units proposed on Carrington Street and Collin Street are conceived as lightweight glazed additions to the building. The units proposed on Carrington Street will project into the street and this is considered to work well. The

units proposed on Collin Street project only marginally and the success of these units in the context of the new streetscape to be created on Collin Street has attracted comment. An opportunity for outside seating associated with the units will be created by the pedestrianisation of Collin Street and the units themselves will introduce activity. In the context of the changes to the public realm, which will also be focussed upon providing activity at the eastern end of Collin Street, and the introduction of the cinema as part of the intu Broadmarsh proposals, this is considered to be an acceptable approach. The proposals also involve the creation of a large commercial unit at the corner of Carrington Street and Collin Street entirely within the existing building, which is designed to be a double height frameless glazed shopfront with cantilevered canopy. This will create animation and activity at a key point opposite the new north/south route which is to be created through the Broadmarsh shopping centre.

- 7.9 Historic England do not have an objection to the “wrapping” of the car park elevations which they view as an acceptable way of modifying the existing “dead” frontages. However, in the context of the adjacent frontage on the western side of Carrington Street, which is within the Canal Conservation Area, they consider that the use of high quality, contemporary natural materials would respond better to context. The design and choice of materials for the car park has taken reference from the proposals for the intu Broadmarsh development. It is acknowledged that the new Carrington Street frontage to the car park would not have the fine grain of the west side of Carrington Street. However, taking into account the way the materials are proposed to be used, it is considered that it would create a frontage with interest and articulation. Overall, therefore, the alterations to the external appearance are considered to be acceptable and bearing in mind the current appearance and lack of respect for context, it would enhance the character and appearance of this part of the Canal Conservation Area.
- 7.10 The planning application has been advertised on the basis of its possible affect on the setting of the Grade II\* listed Castle. This aspect has been given due consideration and the conclusion reached that the proposals would not affect its setting.
- 7.11 The Design Review Panel commented on the inclusion of photovoltaics and a media screen on the Canal Street frontage and expressed concern about these elements of the iteration of the scheme they considered. They have now been excluded from the proposals but it is considered that a media screen could satisfactorily be accommodated in the building, perhaps on the Collin Street frontage where it could further activate the building and add interest to the cladding.
- 7.12 Further details of the materials have been requested to provide assurance of their quality and appearance at this stage. Large scale details of the elevations are required by condition to ensure that the necessary quality is achieved. Details of the screen to Canal Street, which is proposed to form an edge to the new public realm, is also required by condition and this would provide the opportunity for further consideration to be given to integrating this with the street furniture required for the new bus stops proposed on Canal Street, as suggested by the Design Review Panel.
- 7.13 A number of the comments raised by individual citizens, the Nottingham Civic Society and Pedals relate specifically to changes to the surrounding public realm. These are not part of this planning application but the wider changes are currently the subject of separate public consultation. The comments received have therefore

been forwarded to the team responsible for these changes so that they can be recorded and taken into consideration in the overall design development. The Local Access Forum also raised a specific issue with regard to the revised position of the pedestrian access point to the bus station from Carrington Street, expressing a concern that it would be less convenient than the existing arrangement. The detailed arrangements for this will be integral to the design of the public realm works but regardless of this, it is considered that the proposed point of access would present a far more attractive route and prove no less convenient for passengers wishing to interchange between the bus station and railway station.

- 7.14 Overall the proposals are welcomed and would satisfy Local Plan policies BE10 and BE12 and ACS policies 10 and 11.

**OTHER MATTERS** (Local Plan policies S7, NE9, NE10 and T3 and ACS policy 10)

### **Impact upon amenity**

- 7.15 The scale and mass of the existing multi storey car park remains largely unchanged and as such would not alter the physical impact upon the occupiers of adjacent premises. The extensions to the Carrington Street and Collin Street frontages are limited in both height and depth and as such it is not considered they would physically impact upon the amenity of adjoining neighbouring occupants.
- 7.16 The uses proposed for the new retail units, falling within Classes A1 –A5, are compatible with the City Centre location. The conditions recommended by Noise and Pollution Control regarding extraction equipment and noise from plant and air handling equipment would ensure that there are no noise or odour issues for nearby occupiers.

### **Transport**

- 7.17 Highways have no objections to the proposals. Both Pedals and the Local Access Forum have commented on the internal changes to the car park, particularly in relation to changes to the facilities for cyclists. As internal changes to an existing building, the alterations to the location of these facilities are not within the scope of planning control. However, it is the case that the overall intent is to enhance the existing facilities and as set out in para 7.13, the comments will be fed into the wider consultation process.

### **Flood risk/drainage**

- 7.18 A condition requiring the submission and approval of drainage plans for the disposal of surface water, taking the opportunity to use SUDS techniques, is proposed to address the observations of the Drainage section.
- 7.19 Local Plan policies S7, NE9, NE10 and T3 and ACS policy 10 are therefore satisfied.

## **8. SUSTAINABILITY / BIODIVERSITY** (Local Plan policy NE3 and ACS policies 1 and 17)

- 8.1 The proposals involve the re-use of an existing building and as such is a sustainable scheme. The proposals will modernise and improve the bus station and

provide enhanced facilities for passengers, to further encourage the use of sustainable means of transport.

- 8.2 A bat survey has been submitted with the application and the Biodiversity Officer has confirmed that there are no concerns in this regard. Local Plan policy NE3 is therefore satisfied. The suggestion made by the Biodiversity Officer that either a brown or green roof is included within the development has been considered but in this instance there is not any scope for this without impacting upon the level of car parking provision. The roofs of the new retail units are intended to be lightweight structure so would have little potential for such a feature.

## **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**

Provision of accessible buildings.

## **12 RISK MANAGEMENT ISSUES**

None.

## **13 STRATEGIC PRIORITIES**

The proposal addresses the following corporate themes:  
World Class Nottingham: As part of the works to transform the southern gateway of the City Centre.  
Work in Nottingham: By creating employment opportunities.  
Neighbourhood Nottingham: By the physical enhancement of the local environment.

## **14 CRIME AND DISORDER ACT IMPLICATIONS**

Improved surveillance and community safety.

## **15 VALUE FOR MONEY**

None.

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

1. Application No: 15/03034/NFUL3 - link to online case file:

<http://publicaccess.nottinghamcity.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=NYGRLMLYCB000>

Email dated 16.12.2015 from Noise and Pollution Control

Email dated 04.12.2015 from Drainage

Email dated 07.12.2015 from Greenspace and Biodiversity Officer

Letter dated 07.01.2016 from Historic England

3 comments from individuals  
Comments from Nottingham Civic Society  
Comments from Nottingham Local Access Forum  
Email dated 04.01.2016 from Pedals  
Letter dated 27.01.2016 from the Environment Agency.

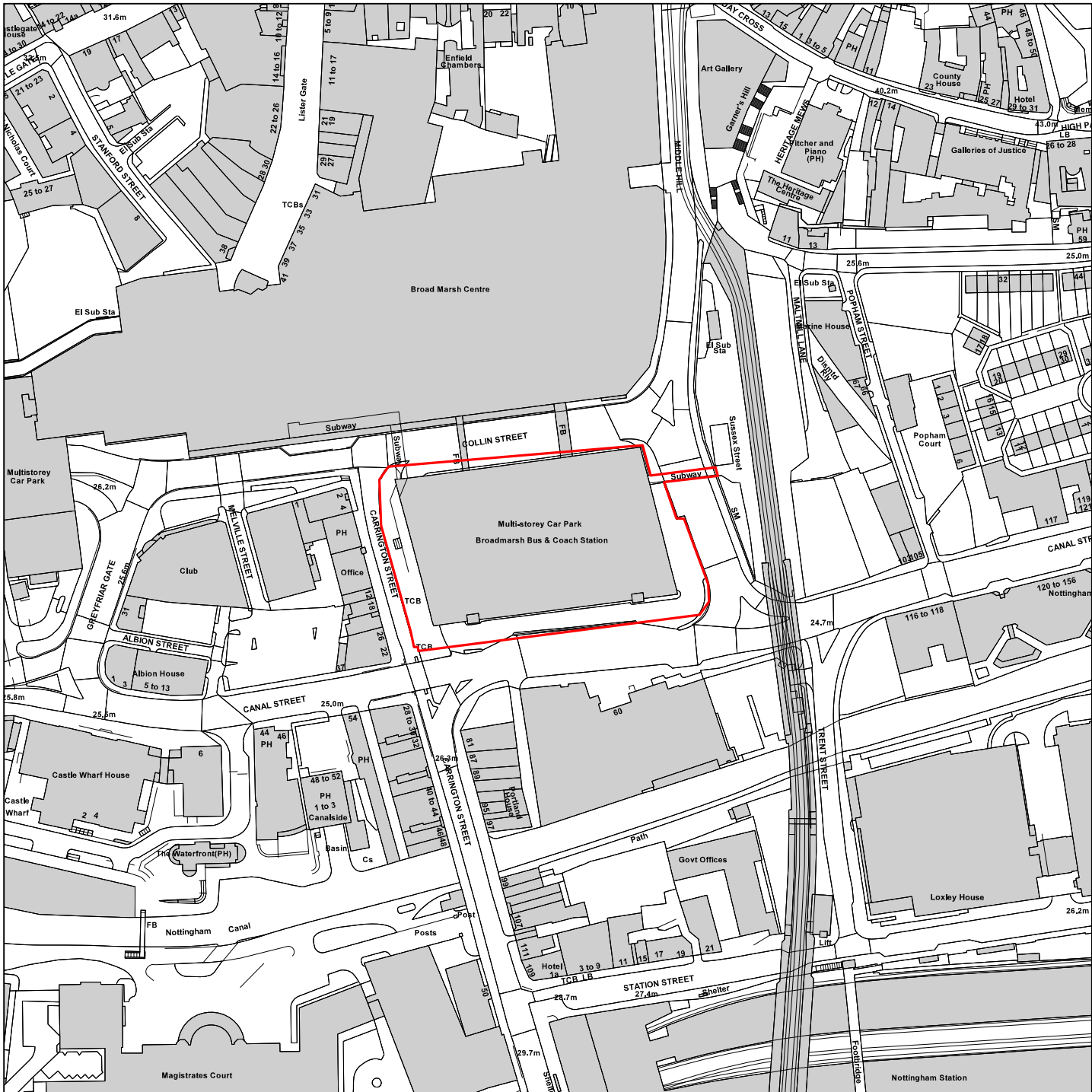
**17 Published documents referred to in compiling this report**

Nottingham Local Plan (November 2005)  
Nottingham City Centre Urban Design Guide (May 2009)  
National Planning Policy Framework (March 2012)

**Contact Officer:**

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**My Ref:** 15/03034/NFUL3 (PP-04614108)

**Your Ref:**

**Contact:** Mrs Janet Keble

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Nottingham  
NG1 7EG

Date of decision:

**TOWN AND COUNTRY GENERAL REGULATIONS 1992  
APPLICATION FOR PLANNING PERMISSION**

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**Application No:** 15/03034/NFUL3 (PP-04614108)  
**Application by:** Nottingham City Council  
**Location:** Broad Marsh Multi Storey Car Park And Bus Station, Collin Street, Nottingham  
**Proposal:** Refurbishment and redevelopment of Broadmarsh multi storey car park, including change of use and extensions to Carrington St and Collins St frontages to provide uses within A1- A5 (shops, financial and professional services, restaurants and cafes, drinking establishments and hot food takeaways) and ancillary public facilities; re-cladding of car park structure; reconfigure bus station layout and relocation of car park entrance to Middle Hill.

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

<b>Time limit</b>
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>
<b>Pre-commencement conditions</b> (The conditions in this section require further matters to be submitted to the local planning authority for approval before starting work)



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**Not for issue**



2. No development shall be commenced, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period and shall provide for:
- (a) Management of the highway network;
  - (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) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - (f) Wheel wash facilities;
  - (g) Measures to control the emission of dust and dirt during construction;
  - (h) A scheme for recycling/disposing of waste resulting from demolition and construction works.

*Reason: To ensure that the amenity of nearby occupiers is protected during construction of the proposed development and in the interests of highway safety in accordance with Policy T3 of the Local Plan and Policies 10 and 14 of the Aligned Core Strategy.*

3. No development shall commence until a detailed surface water drainage scheme for the development, based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall be implemented in accordance with the approved details.

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

4. Prior to the installation of any mechanical services plant or equipment (including any air handling plant), an environmental noise assessment shall be submitted to and approved in writing by the Local Planning Authority.

The environmental noise assessment shall provide sufficient detail to demonstrate that the noise from the proposed mechanical services plant or equipment (including any air handling plant) running at 100% load, combined with any existing mechanical services plant or equipment, shall not exceed a level 10dB below the existing ambient LA90 background noise level, at a point 1 metre from the window of any nearby noise sensitive premises at any time during the relevant operational period of the development.

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

*Reason: To ensure that the amenity of the occupiers of nearby properties is protected in accordance with Policy NE9 of the Local Plan and Policy 10 of the Aligned Core Strategy.*

5. The development shall not be commenced until a programme for the submission of details of the changes to the public realm where they affect pedestrian and vehicular access points to the car park, the bus station and the commercial units, has been submitted to and approved in writing by the Local Planning Authority.

Thereafter the access points shall only be brought into use in accordance with the approved programme.

*Reason: To ensure integration between the proposals for the car park and bus station with the changes to the public realm in accordance with Policy 10 of the Aligned Core Strategy.*

6. The individual elements of the scheme defined in the information required under Condition 5 shall not be implemented until details of the proposed works have been submitted to and approved in writing by the Local Planning Authority.

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

*Reason: To ensure integration between the proposals for the car park and bus station with the changes to the public realm in accordance with Policy 10 of the Aligned Core Strategy.*

7. The development shall not commenced until the following have been submitted to and approved in writing by the Local Planning Authority:

(a) Large scale elevations and sections at a scale of 1:50 or greater of the following elements:

- (i) the coloured vertical glass fins;
- (ii) the metallic push/pull cladding;
- (iii) the large format cladding system;
- (iv) the recessed horizontal louvres;
- (v) the frameless glazed wall/roof system;
- (vi) the recessed horizontal louvres;
- (vii) the cantilevered canopy at the corner of Carrington Street and Collin Street.

(b) Details of the external materials;

(c) Details of the screen along the Canal Street frontage.

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

*Reason: To ensure that the appearance of the development is satisfactory and in the interests of the visual amenity of the area in accordance with Policy BE12 of the Local Plan and Policies 10 and 11 of the Aligned Core Strategy.*

8. Any approved Class A3, Class A4 or Class A5 use within the development shall not be brought into use until, if required, they have been fitted with a fume extraction and ventilation system. The system shall not be installed other than in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority.

The submission shall include an odour risk assessment, the design configuration, odour abatement technology and specification for the scheme for the ventilation and means of discharging and dispersing fumes from development.

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

*Reason: In the interests of the amenities of neighbouring residents and businesses and the visual amenity of the area, in accordance with Policy NE9 of the Local Plan and Policy 10 of the Aligned Core Strategy.*

**Pre-occupation conditions**

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

There are no conditions in this section.

**Regulatory/ongoing conditions**

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

There are no conditions in this section.

**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 27 November 2015.

*Reason: To determine the scope of this permission.*

**Informatives**

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

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

3. If your building/construction works will have any effect on the footway, road or paved area next to your site you must contact the Council's Highways Team before you start. You can contact the Highways Hotline on 0115 915 2161 (Answerphone outside office hours) or Fax on 0115 915 2103 (anytime).

4. Control of Odour & Provision of Adequate Ventilation  
The design of the approved scheme for the ventilation and means of discharging fumes shall have regard to the Guidance on the Control of Odour & Noise from Commercial Kitchen Exhaust Systems (Defra, 2005). The approved scheme shall be designed to provide for ventilation and means of discharging and dispersing fumes, the prevention of odour nuisance and the minimisation of the risk of ducting fires. The approved scheme must be maintained, serviced and operated in accordance with manufacturer's recommendations and other authoritative guidance while the development continues to be occupied.

Fire safety advice for restaurants, fast food outlets and take away shops may be obtained from Nottinghamshire Fire & Rescue Service (email: fireprotectionsouth@notts-fire.gov.uk ). (NB Cheshire Fire & Rescue Service have useful advice on their website See - <http://www.cheshirefire.gov.uk/business-safety/fire-safetyguidance/restaurants-fast-food-outlets-and-take-away-shops> ).

The approved scheme must be kept under review by the operator and alterations or improvements may be required to prevent odour nuisance where any subsequent significant change to the operation of the development is proposed which may affect the control of odour or risk of fire: Significant changes to the operation of the development which may affect the control of odour include:

- i. The intensification of use of the kitchen;
- ii. The nature of the food prepared, served or cooked on site;
- iii. The method of preparation and cooking of the food served or cooked on site;
- iv. The extension of operating times.

It is the duty of the operator to design, install and maintain the ventilation system to prevent an odour nuisance. Adequate measures must be taken to prevent nuisance due to odours passing through windows, floors or walls etc. into adjoining properties.

#### Adequate Ventilation

The operator of any cooking appliance must ensure that there is effective and suitable ventilation in order to enable the effective combustion of fuel and the removal of the products of combustion. The specification of a ventilation system shall be determined on the basis of a risk assessment, taking account of factors such as the cooking arrangements taking place and the need to replace extracted air.

The ventilation system must be designed, installed and maintained in accordance with manufacturer's instructions. Guidance on the design specifications of kitchen ventilation systems is contained within "DW/172" produced by the Building and Engineering Services Association (formerly the Heating and Ventilating Contractors Association). Supporting guidance has been published by the Health and Safety Executive (HSE) within Catering Information Sheet 10 (CAIS10), available at <http://www.hse.gov.uk/pubns/cais10.pdf>.

Gas appliances are subject to specific legislation and standards. Newly installed gas appliances should be fitted with an interlock to shut the gas supply off in the event of a failure to the ventilation system. Further guidance on gas safety in catering is available within Catering Information Sheet 23 (CAIS23), available at <http://www.hse.gov.uk/pubns/cais23.pdf>.

The onus for ensuring that the system does not cause odour nuisance or present a risk of fire rests with the operator. If the system is found to be causing an odour nuisance or a risk of fire at any point, then suitable modification works will be required to be carried out and an enforcement notice may be served.

5. In respect of Condition 17 no items of plant or equipment (either singly or in combination) shall have a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulses (bangs, clicks, clatters, thumps).

#### 6. Commercial Noise

The environmental noise assessment must be suitable and sufficient and must be undertaken with regard to BS 7445: 2003 Description and Measurement of Environmental Noise. The environmental noise assessment must include details of the type and model of all mechanical services plant or equipment (including any air handling plant) together with its location, acoustic specification; mitigation measures and relevant calculations to support conclusions.

The mechanical services plant or equipment (including any air handling plant), including any mitigation measures, must be maintained, serviced and operated in accordance with manufacturer's recommendations while the development continues to be occupied.

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.