

REPORT OF HEAD OF DEVELOPMENT MANAGEMENT AND REGENERATION

Site Of 522, Derby Road

1 SUMMARY

Application No: 16/00149/PFUL3 for planning permission

Application by: Bond Bryan Architects Ltd on behalf of The University Of Nottingham

Proposal: Advanced Manufacturing Building comprising offices, teaching space, laboratories and workshops. Associated external works and new scout hut.

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

To meet the Council's Performance Targets this application should be determined by 28th April 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.

3 BACKGROUND

- 3.1 The site is located on the north side of Derby Road, immediately to the east of Lenton Lodge, which is a Grade II* listed building.
- 3.2 Until recently the eastern portion of the site was occupied by a two storey office and workshop building and associated parking and service areas. The western side the site also includes a single storey timber scout hut surrounded by a grassed open space and mature trees.
- 3.3 To the north the site is bounded by the southern end of the University of Nottingham Jubilee campus. To the north-east the site is bounded by workshop and industrial buildings on Triumph Road. To the south east the site is bounded by a stretch of the exposed River Leen which then enters a culvert as it passes south west through the site and under Derby Road. To the east is the Rose and Crown Public House. The western boundary abuts an area of woodland and Lenton Lodge. Directly opposite on the south side of Derby Road is a parade of local shops.

- 3.4 On the west side of the site is a water pump and iron railings which are both Grade II listed.

4 DETAILS OF THE PROPOSAL

- 4.1 Planning permission is sought by the University of Nottingham for a new academic and research building known as the Advanced Manufacturing Building (AMB). This will create a central hub for manufacturing related activities which are currently dispersed to a number of University buildings. It is also proposed to construct a replacement scout hut as the existing hut on the site would be directly affected by the redevelopment proposals.
- 4.2 The AMB is proposed to be a three storey building with a gross internal floor area of 9000 sq m which would be sited on the eastern side of the site. The accommodation to be provided comprises two basic elements –workshop space and academic office accommodation. Reflecting this the building is made up of two linked elements, referred to as the ribbon block and the workshop block. The ribbon block forms the western and southern side of the building and would house the academic office accommodation, meeting rooms and collaboration space. The workshop block is to the east and would house flexible workshop and laboratory spaces.
- 4.3 Both blocks would have a dark brickwork plinth interspersed with full length narrow windows. The ribbon block is proposed to be clad in a metal rainscreen cladding system which is golden in colour, whilst the workshop block would be a dark/black standing seam metal cladding system. The western elevation of the ribbon block includes varying fenestration which increases towards the southern end. The south elevation is primarily glazed and is conceived as a “shopfront” to the building.
- 4.4 The scout hut is proposed to be located to the west of a new access road. It would be constructed primarily from black stained timber cladding with the entrance defined by natural finished timber cladding.
- 4.5 The development of this site by the University enables the Jubilee campus to be physically connected to Derby Road. The layout proposes a new entrance road which will connect to the southern end of the existing road within the Jubilee campus. A new pedestrian route is also proposed from Derby Road which would lead to the entrance of the AMB. The existing grassed and wooded area on the western side of the site would be retained. The remaining areas of the site would be landscaped.
- 4.6 The vehicular access route to the Jubilee campus would be controlled by the use of barriers. Twelve car parking spaces are proposed at the rear of the workshop building and a small number of visitor/disabled parking spaces are proposed near to the entrance to the AMB. Cycle parking is also proposed within the site.
- 4.7 The University has targeted BREAM Excellent rating for the building by making a number of key sustainable features core to the design concept of the building. This will include the use of photovoltaic panels at roof level and air source heat pumps within the heating and cooling strategy.
- 4.8 The developer is offering local employment and training opportunities during the construction phase of the development. The mechanisms for providing these benefits will be by way of a S106 unilateral obligation.

5 CONSULTATIONS AND OBSERVATIONS OF OTHER OFFICERS

Adjoining occupiers consulted:

- 5.1 The application has been advertised on site and in the press and the following nearby occupiers notified:
Suites A – D, Lyndale House, 4 Hillside
Triumph House, Woolpack House, Carlton Furniture and 3 Triumph Road,
355, 357 A-F, 359, 361, 363A, 365, Rose and Crown PH, Derby Road and nursery
rear of 359-365 Derby Road
Flat 1, Suite 3 Pollard Court, 363A Derby Road
Lenton Lodge, St Mary's Church and 18 Wollaton Hall Drive
2, 4, 15 and 17 Charnock Avenue
- 5.2 In response three objections have been received. Two from nearby residents and the third from the Nottingham Civic Society.
- 5.3 The first resident has raised the following points:
- University has disregarded what appeared to be the general view of local people who attended the community consultation which was that the building was not in keeping with Lenton Lodge;
 - Opportunity to create a street scene including some grass and planting which would be a great asset to the area and enhance one of the main roads into and out of the city;
 - The building's face on Derby Road should be less dominant and no nearer to the road than any part of Lenton Lodge so that there is an uninterrupted view of the for residents and visitors from Derby Road;
 - Concern about the amount of traffic that might be generated from a traffic entrance on Derby Road.
- 5.4 The second resident has raised the following points:
- Welcome the replacement of the scout hut with a new building, the intention to retain the majority of the existing trees alongside the site and the water pump, the replacement of concrete and tarmac with soft landscaping, shrubs and trees, and the setting-back of the building from Derby Road;
 - Identify missed opportunities –scout hut should be a building whole community could benefit from; extension of the unculverted section of the River Leen; setting building further back would alleviate potential for the building to dominate its surroundings;
 - Given the context concerned about the implications of a vehicular access from Derby Road. Does not seem any good reason for this and suggest the site could be accessed from the Jubilee campus;
 - Acknowledge the reduction in height of the building from the original concept but consider the building is a brutal, unsympathetic and a wholly intrusive design. There is an argument for having so-called 'iconic'/'adventurous' styles of architecture on the main part of the Jubilee campus but no place for it in such a prominent and sensitive site. Would be unfortunate indeed if the design of this building were to set a design precedent for the potential long-term redevelopment of site of the car showrooms as envisaged in the Jubilee Campus Master Plan;
 - Do not subscribe to the view in the Design and Access Statement that there is synergy between the AMB and Lenton Lodge;

- Materials in the immediate vicinity are predominantly brick and stone with some wood detailing and view the choice of materials as inappropriate;
- University have ignored the response of the community expressed at the community consultation event which was the building was not in keeping with Lenton Lodge and the surroundings and better suited to other locations within the University's estate.

5.5 The Nottingham Civic Society has raised the following concerns:

- The effect of the proposed building upon the setting of Lenton Lodge and Grade II* listed building;
- Consider that whilst the now demolished buildings on the application site did not contribute positively to the character of the area they did defer satisfactorily in scale to the listed gatehouse;
- The scale of the new building and its siting would challenge the significance of Lenton Lodge in views along Derby Road looking west. Lenton Lodge deserves to maintain a setting in which it takes priority over its neighbours. This has been achieved up to the present, and is the key element of significance of the setting;
- The current proposal is visually assertive, designed to be noticed and therefore will weaken the primacy of Lenton Lodge by competing for attention and thereby damage its setting;
- Building lacks transparency at the ground floor public realm level and there will be no casual surveillance from the street frontage of the building which might address its security concerns better by being sited further away from Derby Road, leaving Lenton Lodge to continue to impress its surroundings.

5.6 **Additional consultation letters sent to:**

Pollution Control: No objection. Recommend a condition requiring the submission of verification information following the remediation of the site.

Highways: No objection in principle subject to conditions requiring a construction management plan, provision of cycle parking and parking spaces, a travel plan and details of the proposed access arrangements.

Historic England: Identify the significance of Lenton Lodge as a Grade II* listed building, recognise that the scheme represents the first phase of an expansion of the Jubilee Campus to Derby Road and the commitment of the University of Nottingham to the quality of design and innovation. In this context assess the impact of the proposal and raise the following issues:

- Impact of the ribbon block which would create an imposing block and whilst this would frame a new route into the campus it would create a dominant barrier to views and the appreciation of Lenton Lodge;
- Glazed end to the Derby Road frontage would cut into views of the Lodge and assert its presence;
- Proposed building is a bold contemporary design and although this will create the desired landmark in doing so the historic landmark becomes a secondary feature within the streetscene;
- The scheme therefore harms the setting of the lodge and compromises a key part of its significance as a gateway building. Recognise that the historic setting has changed over time from rural to urban but that the visual presence of the lodge, which is critical to its significance, has been maintained;
- Advise that one of the strengths of Jubilee Campus has been the ability to develop its own internal architectural style but here the building sits unhappily with a historic

character which is radically different the new building. A more nuanced approach which establishes an “architectural conversation” between the two may be more successful. Refer to previous advice the pre-application stage suggesting setting back new structures and re-positioning the glazed end to frame the Lodge rather than ignore it, re-locating the entrance to the front of the building and exploring other materials and finishes;

- Conclude that the proposal will be harmful to the significance of the designated heritage asset but advise that this is considered to be less than substantial harm and encourage revisions to the scheme. Advise that the soundness of the decision requires careful weighing of the significance of the heritage asset and the degree of harm arising from the proposed development against the merits of the scheme in the form proposed.

Environment Agency: No objection subject to the Sequential Test having been applied and satisfied, subject to conditions requiring the development to be carried out in accordance with the Flood Risk Assessment and, the submission of details addressing the risks associated with contamination to ensure the underlying principal aquifer is not contaminated.

Biodiversity Officer: The ecology report has identified a potential badger sett on this site, and evidence of foraging associated with badger activity and recommends monitoring of the sett to determine its use and advises that this should be done prior to determining the planning application. The results of the survey would advise whether the sett requires closure under licence from Natural England or impacts could be avoided. There are also several areas of Japanese knotweed on the site. which needs to be appropriately treated prior to any movement of earth within 5m of this to prevent spread.

Lead Local Flood Authority: No objections.

Tree Officer: Nine trees comprise a prominent group of mature Limes in good condition that contributes to the setting of the listed Lenton Lodge and do not require removal in order to accommodate the footprint of the proposed building. Two further trees could be retained with some adjustment to path detailing. Two further trees do not necessarily need to be removed but their loss is of little visual consequence as they form edge trees to a large group of pines. If there is to be a highway agreement should try to secure replacement street trees for some of the ad hoc losses sustained outside 321-355 Derby Road nearby. Tree planting within the broad open space in front of the building should be sparing, using a large stock size and ensuring sustainable soil volumes for long term growth.

City Archaeologist: No objection. The proposed development is within the Derby Road/Lenton Lodge Archaeological Constraint Area and having looked at the current proposals with reference to the Nottingham Historic Environment Record, the proposed development is not believed to have any impact upon archaeological features or deposits. The post-medieval mill is located immediately south and to the west of the proposed building.

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

Welcomed the University's commitment to investment and innovation, and the benefits this brings to the city. In summary, supported the principle of the AMB and

were generally supportive of the scheme but had reservations with regard to the design approach adopted. Key to the success of the scheme is in it acknowledging and complementing the surroundings. In particular, the Panel focussed on how the ribbon block could offer a better visual connection with the Lodge, and how the space between the two buildings could work to greater effect, encouraging the rethinking of opening the space up as a vehicle through route. Innovation in the design of the AMB was encouraged by the Panel, but should take a more understated approach respectful to the Lodge, to deliver a high quality building supported by the careful selection of a suitable palette of materials.

In respect of individual elements of the scheme the Panel commented as follows:

Space to the front of Lenton Lodge. Could not accept the logic for creating a main vehicular access off Derby Road when this can be achieved off Triumph Road, which limits the treatment of the space between the building and Lenton Lodge. Identified that the space has the potential to create an attractive and useable piece of public realm, enhancing the setting of both the Lodge and the AMB, and assisting in establishing an integrated relationship between the two.

Relationship with the River Leen. Encouragement given to making more of the exposed section of the River Leen.

Ribbon block. Concerned that the block would be substantial in mass in relation to its neighbours. Recognise desire to produce a landmark building which has a strong presence on Derby Road. However, the result compromises the setting of Lenton Lodge. The siting of the block also detracts from the Lodge and considered that this is exacerbated by the inclusion of the large glazed end window. Advised that the AMB needs to recognise the importance of the Lodge and complement it. Recommended a rethink of the ribbon block, setting it back from Derby Road to allow the views, and exploring how it can frame the Lodge, involving re-positioning the glazing to look out towards it.

Engineering block. Considered to be more successful in its honest appearance, relating well to its context. The Panel suggested exploring the possibility of how the ribbon block could work as a variant of the engineering block, stressing the need for a more understated appearance than present, but whilst still maintaining the high spec of a quality building.

Entrance to building. Recommended making the front entrance the building's main feature.

Materials. Stressed the need for a restrained materials palette which respects the Lodge. Were not convinced of the rationale for the material selection given the building's proximity to a Grade II* heritage asset, and instead advised that an understated approach for the AMB would be more appropriate. The rethinking of the building's appearance from a silver hue to a more golden tone was welcomed, sitting tonally with the Lodge.

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 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 56 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.
- 6.5 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.
- 6.6 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.
- 6.7 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.

6.8 **Nottingham Local Plan (November 2005)**

ST1: Sustainable development

BE10: Development within the curtilage, or affecting the setting, of a listed building

CE1: Community facilities

CE8: Further and Higher Education

NE3: Conservation of species

NE5: Trees

NE9: Pollution

NE10: Water quality and flood protection

NE12: Derelict and contaminated land

T3: Car, cycles and servicing parking

6.9 **Aligned Core Strategy (2014)**

Policy A: Presumption in Favour of Sustainable Development

Policy 1: Climate Change

Policy 4: Employment Provision and Economic Development

Policy 10: Design and Enhancing Local Identity

Policy 11: The Historic Environment

Policy 14: Managing Travel Demand

Policy 17: Biodiversity

7. **APPRAISAL OF PROPOSED DEVELOPMENT**

Main Issues

- (i) Principle of the development;
- (ii) Layout, design and appearance, including the setting of the adjacent listed buildings;
- (iii) Public realm

(i) Principle of the development (Local Plan policies ST1, CE1 and CE8 and Aligned Core Strategy policies A and 4)

- 7.1 The Jubilee Campus is designated for higher education by Policy CE8 of the Nottingham Local Plan and as such the principle of the use of the site for the AMB building is acceptable. In 2004 a development brief for the Jubilee Campus was adopted by the City Council which includes the application site and this envisaged that the site would be part of a bigger area for the expansion of academic accommodation, and the proposed AMB therefore accords with this.
- 7.2 The development of this site is strategically important for the University and provides the opportunity for the Jubilee Campus to have a physical presence to Derby Road, which is an important arterial route into the City, and to provide better connectivity for students and staff between the Jubilee Campus and the main University Park campus.
- 7.3 The commitment of the University to continue to invest in the City and to improve the standing of Nottingham as a World City is recognised. The facilities to be provided would provide high quality research, teaching facilities, opportunities for knowledge exchange and commercial input for advanced manufacturing which is

viewed as an increasingly important part of the City's and the UK's economic future and as such would be of value to the economic prosperity of the City.

- 7.4 The replacement of the existing scout hut with a new building safeguards this community facility and will provide the group with a modern purpose built facility.
- 7.5 Policies ST1, CE1 and CE8 of the Local Plan and Policies A and 4 of the Aligned Core Strategy are therefore satisfied.

(ii) Layout, design and appearance, including the setting of listed buildings
(Local Plan policy BE10 and Aligned Core Strategy policies 10 and 11)

- 7.6 The previous buildings on the application site have now been cleared and this provides a significant opportunity for the Jubilee Campus to extend southwards and have a physical presence onto Derby Road. The site is adjacent to Lenton Lodge, a Grade II* listed building which is a prominent landmark on Derby Road, and the design challenge for a new building on this site is to respect the setting of the Lodge whilst also creating a building befitting of a key entrance to the Jubilee Campus and expressing a sense of the innovative buildings that it contains, along with satisfying the client's brief associated with the function of the building.
- 7.7 The approach to the design and layout of the site has been informed by the specific site context. In particular, the relationship with Lenton Lodge, the desire to keep the grassed and wooded area in the western side of the site, the continuation of the tree lined route which runs through the Jubilee Campus, the irregular shape of the site and the constraints imposed upon it by river and sewer easement have all influenced the siting and form of the buildings.
- 7.8 The retention of the grassed and wooded area is welcomed and the siting of the workshop block in a less prominent location on the eastern side of the site is considered to be successful. The ribbon block forms the western side of the building and this comprises a more linear form addressing the public frontages along the edge of the access road and also facing Derby Road. The building is proposed to be three storeys in height and this is felt to be appropriate to the context and sufficient to produce a building with some presence. The potential of opening up the culverted River Leen has been identified as a missed opportunity. It is acknowledged that this could be a potential asset but taking into account its quite harsh and very functional appearance of the River Leen at this point and its relationship to the main areas of activity around the building, this would necessitate significant change to the layout and design which would be difficult to justify.
- 7.9 The main concern of objectors to the scheme, including Historic England and the Nottingham Civic Society, is that the design and appearance of the building is too assertive and thereby compromises the significance of Lenton Lodge as a gateway building. It is agreed that this relationship is of critical importance and it has been a key part of discussions on this proposal at both the pre-application stage and during the life of the application. In response, a number of changes have been made to the original scheme selected through the University's competition process and subsequently presented to community consultation. Key changes include a reduction in the scale and height of the building; its positioning further back into the site (behind the forward line of the building it replaces); the removal of the dominant picture window to the southern elevation; increasing the fenestration to the west elevation and creating a larger window to face towards the Lodge; and a change to the primary colour of the external cladding material.

- 7.10 Revised plans have now also been submitted further refining the appearance of the front elevation by reducing the extent of cladding, by lowering the angle of the raking roof and by introducing additional fenestration into the eastern elevation of the ribbon block. These changes have the effect of further helping to reduce the dominance of the building in relation to Lenton Lodge, particularly when viewed from the east on Derby Road which is a key viewpoint. It is now considered that the Lodge will be maintained as the primary landmark in the streetscene.
- 7.11 The choice of materials has been driven by the adoption of a simple architectural language which will offer a robust, high quality solution. The proposed materials will primarily be a combination of dark brickwork plinth, metal cladding and areas of feature glazing. It is recognised that the choice and quality of materials will be critical to the overall success of the scheme. The choice of a gold metal rainscreen cladding for the ribbon block has been commented upon by objectors but this choice, tonally reflecting the sandstone of Lenton Lodge, is considered to be an acceptable approach. The ultimate success will however depend upon the final choice and quality of the materials and the details of these will be required by condition.
- 7.12 With specific reference to the impact upon the setting of Lenton Lodge, in order to meet the guidance of the National Planning Policy Framework which states that great weight should be given to the conservation of heritage assets and that any harm should require clear and convincing justification. The consideration of the proposal requires careful weighing of the significance of the heritage asset and the degree of any harm arising from the proposed development against the merits of the scheme. Historic England have advised that the harm to Lenton Lodge is less than substantial to the significance of the building and that the harm should be weighed against the public benefits of the proposal. In this case it is agreed that the harm to the significance of Lenton Lodge is less than substantial and that as set out in para 7.3 the AMB does bring significant public economic benefit to the City. The conclusion with regard to the impact upon the setting of the Lenton Lodge is that this is acceptable. It is not considered that the development would adversely impact upon the setting of the Grade II listed water pump and railings on the western side of the site.
- 7.13 The siting and design of the new scout hut are considered to be acceptable.

(iii) Public realm (Aligned Core Strategy policy 10)

- 7.14 This development enables the creation of a physical link between the Jubilee Campus and Derby Road and provides an opportunity to create a new area of high quality public realm which would announce this new entrance to the Campus and positively contribute to the setting of Lenton Lodge.
- 7.15 The scheme as submitted proposed a traditional highway engineering led approach to the new vehicular route through the site connecting to the existing road within the Jubilee Campus. The University has been encouraged to reduce the prominence of the vehicular route and to create an area of public realm incorporating shared space on the west side of the AMB. A revised scheme has now been submitted which indicates that the scheme is evolving in a direction which has the potential to deliver an area of high quality public realm, to provide a better setting for the AMB, for Lenton Lodge and for those walking/cycling through the site to Jubilee Campus.

It is not yet considered that this is fully resolved and a condition is recommended requiring the further details to be submitted.

- 7.16 Overall the proposals are welcomed and would satisfy Local Plan policy BE10 and Aligned Core Strategy policies 10 and 11.

OTHER MATTERS (Local Plan policies NE9, NE10 and T3 and Aligned Core Strategy policies 10 and 14)

- 7.17 **Impact upon amenity of nearby occupiers:** Taking into account, the siting, height and mass of the AMB and the nature of the adjoining uses, which other than the living accommodation over the Rose and Crown Public House are non –residential, it is considered that the impact of the proposal upon the amenity of nearby occupiers is acceptable.
- 7.18 **Transport:** There are no highway objections to the principle of the proposals subject to the submission of details which will be required by condition. Local residents have raised concerns about the impact upon road safety as a result of the vehicular traffic which would be generated by the development. However, it is considered that the proposed design of the access from Derby Road which will take into account the pedestrian and cycle movements into and around the site and that the access to the Jubilee Campus will be restricted to visitors and permit holders that the impact upon highway safety in the vicinity will be acceptable.
- 7.18 **Flood risk/drainage:** The application site is located within Flood Zone 2 and a Flood Risk Assessment has been submitted with the application. The Environment Agency has not raised an objection subject to conditions relating to ground contamination and to ensure the development is undertaken in accordance with the Flood Risk Assessment.
- 7.19 **Noise and Pollution Control:** Do not object to the development but have raised a number of issues which can be satisfactorily dealt with by conditions relating to ground contamination.

- 7.20 Local Plan policies NE9, NE10 and T3 and ACS policy 10 are therefore satisfied.

8 **SUSTAINABILITY / BIODIVERSITY** (Local Plan policy NE3 and Aligned Core Strategy policies 1 and 17)

- 8.1 The aim is for the development is to achieve a BRE AAM excellent rating and including a minimum of 10% reduction through the use of on-site renewables. Specific measures for the development are based upon passive design principles aimed at reducing energy demand by design, using high performing building fabric, achieve high air-tightness and maximising the use of natural daylighting into the building. The renewable technologies to be included in the project are combined heat and power and photovoltaic cells.
- 8.2 The queries raised by the Biodiversity Officer in relation to Japanese knotweed have been addressed and it has been confirmed that this has already been treated. With regard to the badger sett this has been further monitored and there is no evidence of activity and that therefore no further action or mitigation is required. The further response of the Biodiversity Officer is awaited in response to this information and committee will be advised further upon this by means of the update

sheet. A condition is recommended securing the provision of bat, bird and invertebrate boxes to further enhance the biodiversity of the site.

- 8.3 The submitted scheme proposed the removal of nine mature trees in the south west corner of the site, in the vicinity of the water pump, which contribute to the setting of Lenton Lodge. Revised plans have now been submitted showing the retention of these and together with the other trees to be retained on the west side of the site and proposed new tree planting it is considered that the overall impact upon trees within the site is acceptable.

Local Plan policies NE3, NE5 and NE14 and ACS policies 1 and 17 are therefore satisfied.

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:
Great City – Improving life Chances for Young People.
World Class Nottingham: As part of proposals which improve the facilities offered by the University of Nottingham
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: 16/00149/PFUL3 - link to online case file:
<http://publicaccess.nottinghamcity.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=O1CXS4LYCB000>
2. Letter dated 05.02.2016 from Historic England
3. Email dated 09.02.2016 from Tree Officer

4. Email dated 16.02.2016 from Drainage
5. Email dated 04.02.2016 from City Archaeologist
6. Letter dated 22.02.2016 from Environment Agency
7. 2 emails both dated 21.02.2016 from local residents
8. Comments from Nottingham Civic Society
9. Observations dated 01.04.2016 from Highways
10. Email dated 04.04.2016 from Biodiversity Officer

17 Published documents referred to in compiling this report

National Planning Policy Framework
Nottingham Local Plan (November 2005)
Aligned Core Strategy (2014)

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Date of decision:

TOWN AND COUNTRY PLANNING ACT 1990 APPLICATION FOR PLANNING PERMISSION

Application No: 16/00149/PFUL3 (PP-04777473)
Application by: The University Of Nottingham
Location: Site Of 522, Derby Road, Nottingham
Proposal: Advanced Manufacturing Building comprising offices, teaching space, laboratories and workshops. Associated external works and new scout hut.

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

Time limit

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

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

Pre-commencement conditions

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

2. The development shall not be commenced until such time that a Construction Parking Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall set out the provision to be made to accommodate all site operatives, visitors and construction vehicles loading, off-loading, parking and turning within the site during the construction period.

Reason: To avoid prejudice to traffic conditions within the vicinity of the site and to safeguard the amenities of neighbouring residents in accordance Aligned Core Strategies Policy 10 and Local Plan Policy T3.

3. No above ground development shall be commenced until all site access details and all off-site highway works have been submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall relate to the layout geometry with tracking, signing, lining and alterations, 'Swept Path Analysis', visibility splays and stage I/II Safety Audit.

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

Reason: In the interests of highway safety and in accordance with Policy T3 of the Local Plan.

4. No above ground development shall be commenced until details of the external materials 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 an appropriate quality of finishes and in the interests of the appearance of the building in accordance with Aligned Core Strategies Policy 10.

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

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

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

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

7. Notwithstanding the details shown on the submitted plans no above ground development shall be commenced until full details of the layout and treatment of the external areas have 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 the creation of an area of good quality public realm and in the interest of visual amenity in accordance with Policy 10 of the Aligned Core Strategy.

Pre-occupation conditions

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

8. The development shall not be occupied until details of any means of enclosing the site have been submitted to and approved in writing with the Local Planning Authority.

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

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

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| 9. | No part of the development shall be brought into use until the highway works approved under Condition 8 have been completed.

<i>Reason: To ensure that the development will provide satisfactory highway/transportation arrangements in accordance with Policy BE2 of the Local Plan</i> |
| 10. | The development shall not be brought into use until any redundant footway crossings and/or damaged or altered areas of footway or other highway have been reinstated in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

<i>Reason: In the interests of highway safety and the aims of Policy T3 of the Local Plan.</i> |
| 11. | Within 6 months of the first occupation of the building, an updated travel plan shall be submitted to the Local Planning Authority for approval. It shall comprise a package of sustainable transport measures and initiatives that will be carried out at the site. The Travel Plan shall include measures with associated timescales and costs for work to be carried out. Once approved, the updated travel plan shall be implemented at all times.

<i>Reason: To promote the use of sustainable means of transport to comply with Policy 10 of the Aligned Core Strategy and Policy T3 of the Local Plan.</i> |
| 12. | The development shall not be occupied until a scheme for external lighting has been submitted to and approved in writing by the Local Planning Authority.

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

<i>Reason: In the interests of community safety in accordance with Policy 10 of the Aligned Core Strategy.</i> |
| 13. | The development shall not be occupied until secure, covered and lit cycle parking facilities have been provided in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. Thereafter the area identified for parking cycles shall not be used for any purpose other than the parking of cycles.

<i>Reason: To ensure that the layout of the development is satisfactory and to ensure that the layout of the development is satisfactory and to promote a sustainable element of travel in accordance with Policies BE2 and T3 of the Local Plan.</i> |
| 14. | The development shall not be occupied until the parking/turning/servicing areas have been provided in accordance with the approved drawings. Thereafter, the parking/turning/servicing areas shall only be used for the purposes approved.

<i>Reason: To ensure that the layout of the development is satisfactory in accordance with Policy T3 the Local Plan.</i> |
| 15. | The development shall not be occupied until the renewable/low carbon energy scheme detailed in the Energy Statement (ARUP) submitted with the planning application and dated 20.01.2016 has been installed and is able to provide renewable/low carbon energy to serve the development.

<i>Reason: In the interests of providing a sustainable development with a proportion of its energy supplied by way of a renewable source in accordance with Aligned Core Strategies Policy 1 and Local Plan policy NE14.</i> |

16. No part of the development hereby permitted shall be occupied until a detailed landscaping and planting scheme indicating the type, height, species, location, sectional pit details and maintenance arrangements of the proposed trees and shrubs has been submitted to and approved in writing by the Local Planning Authority. This shall include details of the planting scheme for the green roof and the architectural trellis. The approved landscaping scheme shall be carried out in the first planting and seeding seasons following the occupation of the development 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: In the interests of ensuring the finished quality of the approved development and the visual amenity of the wider area in accordance with Aligned Core Strategy Policy 10.

17. No part of the development shall be occupied until a scheme for the inclusion of bird, bat and invertebrate boxes within the development has been submitted to and agreed in writing with the Local Planning Authority. The scheme shall include details of the type, number and position of the bird, bat and invertebrate boxes.

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

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

18. The development shall not be occupied until the following have been submitted to and approved in writing by the Local Planning Authority:
- a) A Verification Report, which shall include the data referred to in the Verification Plan, to demonstrate that the approved Remediation Strategy to deal with ground gas contamination of the site has been fully implemented and completed.
 - b) A Verification Report, which shall include the data referred to in the Verification Plan, to demonstrate that the approved Remediation Strategy to deal with ground and groundwater contamination of the site has been fully implemented and completed.

Reference is to be made to the following submitted documents:

- Phase I and 2 Contamination Assessment Report (Proposed Advanced Manufacturing Building Jubilee Campus Extension University of Nottingham, by OPUS, Reference: K-NC700_R1/1_ARN);
- Phase 3 Supplementary Contamination Assessment Report and Preliminary Groundwater Quantitative Risk Assessment (Proposed Advanced Manufacturing Building Jubilee Campus Extension University of Nottingham, by OPUS, Reference: K-NC700_R2/1_ARN);
- Contaminated Land Remediation Strategy (Proposed Advanced Manufacturing Building Jubilee Campus Extension University of Nottingham, by OPUS, Reference: K-NC700_R3/1_ARN) .

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

Regulatory/ongoing conditions

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

19. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (Ref. K-NC700.00 BR1.0, dated 06/05/2015, Opus International Consultants (UK) Ltd.), and the following mitigation measures detailed within the FRA:
1. Finished floor levels shall be set no lower than 28.91m above Ordnance Datum (AOD);
 2. Flood resilient design and construction techniques shall be incorporated at ground floor level as detailed in paragraph 10.2 of the agreed FRA;
 3. A Flood Evacuation Plan shall be developed for the site, taking into account the Environment Agency's Flood Warnings Direct service, as detailed in paragraph 10.1 of the agreed FRA.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To prevent flooding by ensuring the satisfactory storage of / disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants in accordance with policy NE10 of the Local Plan.

20. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars. Paragraphs (a) and (b) below shall have effect until the expiry of 3 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (2010) Recommendations for tree work.

(b) If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority. If any retained tree is topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority, then remedial pruning or replacement planting as appropriate shall be undertaken as specified in writing by the Local Planning Authority.

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

Standard condition- scope of permission

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

Reason: To determine the scope of this permission.

Informatives

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

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



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other restrictions there are and what other consents may be needed, for example from the landowner, statutory bodies and neighbours. This permission is not an approval under the Building Regulations.

3. Contaminated Land, Ground Gas & Groundwater

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

Following completion of the development, no construction work, landscaping or other activity must be undertaken which may compromise the remediation measures implemented to deal with ground, groundwater and ground gas contamination of the site. Any ground gas protection measures included in the original development are designed for the buildings as originally constructed to protect against possible dangers to public health and safety arising from any accumulation of methane, carbon dioxide or other gas and to ensure that the site can be developed and used without health or safety risks to the occupiers of the development and/or adjoining occupiers. These protection measures may be compromised by any future extension of the footprint of the original building or new building structures within the curtilage of the site including the erection of a garage, shed, conservatory or porch or similar structure. Advice from the Council's Pollution Control Team regarding appropriate gas protection measures must be sought should future extension of the footprint of the original building or new building structures within the curtilage of the site be proposed (regardless of whether the proposed construction requires planning permission or building regulation approval).

It is a requirement of current Building Regulations that basic radon protection measures are installed in all new constructions, extensions conversions & refurbishments on sites which are Radon Class 3 or 4 and full radon protection measure are installed on site which are Radon Class 5 or higher. Advice from the Council's Pollution Control Team regarding appropriate gas protection measures must be sought where there are both radon issues and ground gas issues present. The responsibility and subsequent liability for safe development and secure occupancy of the site rests with the developer and/or the landowner. The developer is required to institute a thorough investigation and assessment of the ground conditions, nature and degree of contamination on the site to ensure that actual or potential risks to public health and safety can be overcome by appropriate remedial, preventive or precautionary measures. The developer shall provide at his own expense such evidence as is required to indicate clearly that the risks associated with ground, groundwater and ground gas contamination of the site has been addressed satisfactorily.

4. Environment Agency advice. Please note that there shall be no raising of land levels in areas of the site that are currently below the 1 in 100 year plus climate change flood level, i.e. 27.83 m AOD. Recommend that the Lead Local Flood Authority is consulted with regards to surface water flood risk mitigation including proposals to restrict discharge to Greenfield run off rates, suitable flood routing around new buildings and provision of adequate surface water storage as discussed within this FRA.

5. Construction: Noise Control: Hours of Work and Equipment

The acceptable hours for demolition or construction work are detailed below;

Monday to Friday: 0730-1800 (noisy operations restricted to 0800-1800)

Saturday: 0830-1700 (noisy operations restricted to 0900-1300)

Sunday: at no time

Bank Holidays: at no time

Work outside these hours may be acceptable in exceptional circumstances but must be agreed in advance with Nottingham City Council's Pollution Control Team (Tel: 0115 9152020; email: pollution.control@nottinghamcity.gov.uk)

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 off-site 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 measures include:-

Flexible plastic sheeting

Water sprays /damping down of spoil and demolition waste

Wheel washing.

Periodic road cleaning.

6. Highway related advice

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

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

3) Planning consent is not consent to work on the highway. To carry out off-site works associated with the planning consent, approval must first be obtained from the Local Highway Authority. Approval will take the form of a Section 278 Agreement and you should contact Highways Network Management on 0115 8765293 to instigate the process. It is strongly recommended that you make contact at the earliest opportunity to allow time for the process to be completed as you will not be permitted to work on the Highway before it is complete. All associated costs will be borne by the developer. We reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the 6Cs Design Guide which is available at www.leics.gov.uk/htd.

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

5) Please contact our drainage experts Paul Daniels 0115 8765275 or Nick Raycraft 0115 8765279 to discuss drainage.

6) The applicant is advised to contact Scott Talbot 0115 8765225 in the first instance to discuss road safety issues.

7) The applicant is advised to contact Kerry Peruzza 0115 8763947 to progress the Travel Plan and sustainable transport initiatives.

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

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

RIGHTS OF APPEAL

Application No: 16/00149/PFUL3 (PP-04777473)

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/pcs.

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

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

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

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

PURCHASE NOTICES

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

COMPENSATION

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





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Not for issue

NOMAD printed map



Key

-  City Boundary
-  Planning Application Polygons

Description
No map description

Nomad web map printed by a Nomad user at 11:52, 12/04/2016

