



Additional / To Follow Agenda Items

This is a supplement to the original agenda and includes reports that are additional to the original agenda or which were marked 'to follow'.

Nottingham City Council Planning Committee

Date: Wednesday, 18 March 2020

Time: 2.30 pm

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

Governance Officer: Kate Morris **Direct Dial:** 0115 876 4353

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Nottingham City Council

Planning Committee

Minutes of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 19 February 2020 from 2.30 pm - 4.18 pm

Membership

Present

Councillor Michael Edwards (Chair)
Councillor Leslie Ayoola
Councillor Kevin Clarke
Councillor Graham Chapman (Vice Chair)
Councillor Gul Nawaz Khan
Councillor Pavlos Kotsonis
Councillor Sally Longford
Councillor AJ Matsiko
Councillor Toby Neal
Councillor Lauren O`Grady
Councillor Ethan Radford
Councillor Mohammed Saghir
Councillor Wendy Smith
Councillor Cate Woodward

Absent

Councillor Azad Choudhry
Councillor Audra Wynter

Colleagues, partners and others in attendance:

James Ashton - Transport Strategy Manager
Ann Barrett - Legal Team Leader, Planning and Environment
Rob Percival - Area Planning Manager
Martin Poole - Area Planning Manager
Paul Seddon - Director of Planning and Regeneration
Nigel Turpin - Team Leader, Planning Services
Kate Morris - Governance Officer

30 Changes in membership

The Committee noted that Councillor Toby Neal has replaced Councillor Cheryl Barnard as a member of the Committee.

31 Apologies for absence

Councillor Audra Wynter – Personal

32 Declarations of interests

In relation to agenda item 5a, Former Mechanics Arms Public House, Alfred Street North, St Ann's (minute number 34) Councillor Graham Chapman indicated that he had had a prior involvement with the development which may give the appearance of his judgement being prejudiced and therefore he would not be participating in debate or voting on the matter.

Councillor Graham Chapman left the room at this point

33 Minutes

The Committee confirmed the minutes of the meeting held on 18 December 2019 as a correct record and they were signed by the Chair.

34 Planning applications: reports of the director of planning and regeneration

- a Former Mechanics Arms Public House, Alfred Street North, St Ann's (Agenda Item 5a)

Martin Poole, Area Planning Manager, introduced application number 19/02365/PFUL3 for planning permission by Allan Joyce Architects Ltd on behalf of Framework Housing Association for the erection of 16 supported living flats and associated management and training facilities following the demolition of the public house.

The application is brought to the Committee due to significant public interest contrary to officer recommendation from local residents with two Ward Councillors having submitted written objections. In addition it was proposed that the planning obligations typically required by adopted planning policies be waived in this case.

To meet the Council Performance Targets this application should have been determined by 21 January 2020

Additional information, amendments and changes to the item since the publication of the agenda was included in an update sheet, which was circulated at the meeting and appended to the agenda published online. It included two further objections, one from Inspector James Walker of Nottinghamshire Police and the other from Councillor Sue Johnson, Ward Councillor.

Prior to the Committee's consideration of this item and with the permission of the Chair Councillor Sue Johnson addressed the Committee in her role as a Ward Councillor for St Ann's and made the following points.

- (a) The move of the facility from Forest Road West to the proposed site of the Mechanics Arms in St Ann's is ill conceived. The area of the proposed site has been plagued with issues of anti-social behaviour and drug use for many years and there are concerns that moving the Forest Road West facility to St Ann's will compound the issues the area already experiences;
- (b) There are better placed vacant buildings, closer to the city centre where service users would be able to access other services that they need, that would not impact on residential areas, and would not contribute to existing problems such as parking, drug use and anti-social behaviour (which were detailed more fully in her written representation referred to in the update sheet);

- (c) There is an issue with parking on Alfred Street North, the location of the proposed development. There is already a significant issue with parking on this street, and the development only has two proposed spaces. If the development is being used as a location for staff training this will contribute to more problems with the current parking;
- (d) The proposed development site is within walking distance of a women's refuge. The exact location cannot be disclosed to ensure the safety of the women using the facility, however a development of the sort proposed could significantly impact the refuge and the safeguarding of the women;
- (e) The proposed development will also significantly impact on the privacy of surrounding residential properties. This may raise implications under the Human Rights Act, Article 8 of the European Convention on Human Rights and Article 1 of the First Protocol regarding the right to privacy and family and home life and peaceful enjoyment of possessions. The development is also situated very close to a children's play park and concerns are that Framework service users will use this area to congregate making the park unappealing to children and families in the area and raises safeguarding issues;

The following points were discussed:

- (f) The proposed development is to demolish the existing former public house and to construct 16 one-person, supported living units along with training facilities on the ground floor. The proposed development will be three and four storey with a flat roof. The new building would be located on the back edge of St Ann's Way pavement;
- (g) The applicant has advised that the facility would be staffed 24 hours a day;
- (h) The building opposite the site is a vacant community building, adjoining the site are two storey residential buildings. Although it is mainly a residential area there are a number of commercial buildings to the north and the east;
- (i) A number of objections have been raised by residents, Police, and two Ward Councillors. A petition with 25 signatures has been submitted highlighting residents' concerns around parking, crime, proximity of the development to the park and antisocial behaviour;
- (j) Framework are looking to move the facility currently located on Forest Road West as the current building is no longer fit for purpose. The current service on Forest Road West has been active for around 15 years rather than the one year mentioned in the objections. Planning Officers have looked at the experiences of local residents, police statistics and Councillor casework and there is nothing that gives rise to significant issues at the current location. Evidence points to the facility not having a significant impact on the local area;
- (k) Traffic colleagues have assessed the development and the existing parking conditions on Alfred Street North. They feel that the development would not significantly add to parking problems in the area. The applicant will be asked to sign up to a travel plan around how staff will travel to the site;

- (l) The planning process in place as part of Nottingham City Council policy and UK law provide a legal framework for impact of planning to be assessed considering the Human Rights Act. As the application has gone through the robust planning process the Committee can be assured that they are acting within the Human Rights Act;
- (m) The Committee agreed that they would like to seek assurance from Framework that the facility will be managed appropriately in order to reassure residents. The Committee would like to see that appropriate staffing levels and policies/procedures are in place;
- (n) The Committee were concerned about the proposed development adding to existing problems in the area. There has been a lot of targeted work by Nottingham City Council, Nottinghamshire Police and many other partner organisations to tackle anti-social behaviour and drug problems in the area, as well as working on deprivation and creating a cohesive community, and the committee were concerned that the development may destabilise the sense of community;
- (o) The Committee acknowledged that this was a difficult decision as there is a need for temporary supported accommodation of this sort in this area;
- (p) Members of the Committee raised concerns that the wider consultation process is still ongoing. Officers confirmed that the statutory consultation had taken place as required by policy and planning law, but that the decision had been taken to extend the consultation due to the extent of public feeling following a public meeting. Responses to this extended consultation have been consistent with the initial consultation and have not raised any additional material planning considerations;
- (q) A Conservation Officer has assessed the existing building, it is not in a conservation area, and is not directly next to the former mill. They do not feel that it should have protected status.
- (r) The Committee also raised concerns around how the proposed development might materially change the character of the area. It was highlighted that this could not be demonstrated as having happened for the Forest Road West site so it would be difficult to say that it would change the character of the area at the new site;
- (s) Regarding the design of the building, the Committee felt that thought had gone into the design to ensure it was not simply a cube, that there was variation in depth to the facings of both sides. The ground floor does not interact with the pavement in the most favourable way and more consideration should be given to the front entrance; it was also felt that the finishing to the top of the building could be explored further
- (t) The proposed development looks much more like the industrial buildings to the north and the east of the site than the residential buildings it sits amongst. Some members of the Committee liked this as it distinguished it from the residential properties and others felt that more blending with the neighbouring residential buildings would be favourable.

After considering all of the above the Committee felt it would be beneficial to seek further assurances from Framework around the management of the building, further information on the impact that the Forest Road West site has had on the neighbourhood and for the extended consultation period to be allowed to expire before determining the application.

Resolved to defer the decision on planning application 1902365/PFUL3 until the March 2020 Planning Committee.

The meeting was adjourned at 15:36.

The meeting was reconvened at 15:47

b Former Waitrose store, 110 Trowell Road, Wollaton (Agenda Item 5b)

Rob Percival, Area Planning Manager, introduced application number 19/02746PFUL3 for planning permission by Lidl GB Ltd for the demolition of a covered walkway extension to the south and west elevations to form shop fronts for 8 units including Lidl, reconfiguration of the carpark and installation of bollards

The application was brought to the Committee due to significant public interest that is contrary to the officer recommendation.

To meet the Council Performance Targets this application should have been determined by 4th February 2020. An extension of time has been agreed with the applicant until 28 February 2020.

Additional information, amendments and changes to the item since the publication of the agenda was included in an update sheet, which was circulated at the meeting and appended to the agenda published online. It included the submission of revised plans showing 16 cycle parking spaces, 18 disabled parking spaces, 2 electric charging vehicle parking places, as required by the published draft conditions. It also contained As a result of the revised plans having been received a new condition was proposed to replace draft conditions 5,6,and 7 on the draft decision notice appended to the report.

The following points were discussed:

- (a) The site is located on the north of Trowell Road. It was formally a Waitrose supermarket and carpark. The site also houses a Post Office and a café. Access to the site is off Trowell Road;
- (b) The applicant will retain the majority of the floor space for its own use, but have proposed to create individual, smaller retail units within the existing building. The west frontage would be altered to include glazed fronts for the individual units. The frontage for the units at the back of the building would not be altered and would remain as they are now. The covered walkway would be demolished and the parking spaces would be rotated 90 degrees. Disabled car parking would remain at the front of the building in its current location;

- (c) There have been a number of representations, many of them concerned that the smaller units may be brought into use as hot food takeaway restaurants, which would encourage antisocial behaviour, extended opening hours and increased litter. Concerns have also been raised about noise from demolition works. The applicant is not seeking a change in use for these smaller units and they will be retained as A1 retail use. Any proposed change of use as a hot food takeaway would require planning permission. Demolition noise will be very minor as the planned demolition is not extensive;
- (d) The existing Post Office and Café would remain on site and extra controls are being sought to limit noise from deliveries to those units located at the back of the store due to their proximity to residential dwellings. This has been reflected in the draft condition 10 that should read 08:00 – 20:00 Monday to Saturday;
- (e) Committee members raised concerns about the loss of the trees currently on the site. The applicant will be required to replace lost trees at at least a two for one rate, so the site will require 6 trees. The Committee felt that this could be improved and more trees/greenery could be incorporated into the proposed design in order to help work towards a greener Nottingham, increase biodiversity and contribute to the clean air targets. There are no implications for the larger trees on the edge of the site;
- (f) The Committee noted that the car park as it is currently configured includes 26 disabled spaces. They expressed disappointment that the number of disabled parking spaces was being reduced;
- (g) Despite being a busy entrance and exit, Highways colleagues have advised that there is no record of safety incidents historically. The Committee agreed that although there was no need to signal the junction at this point, that monitoring would be beneficial and would quickly highlight if it became problematic;
- (h) The number of electric chargers proposed is proportionate to the number of additional spaces. Planning policy does not place a requirement on the applicant to add vehicle changing points for the existing spaces. The Committee asked that planning colleagues go back to the applicant with a strong message that additional charging points would be beneficial;
- (i) The Committee asked about planning for standing water and run off. All new developments are appraised by drainage colleagues and in some circumstances by the Environment Agency with a focus on sustainability and drainage. There are requirements set out in planning policy which require developers to consider drainage and how developments might impact on drainage and run off in other parts of the city;

Resolved to:

- (1) Grant planning permission subject to the indicative conditions substantially in the form of those listed in the draft decision notice at the end of the report save that:-**
 - a. conditions 5, 6 and 7 be deleted and replaced by the following condition:**

No part of the development hereby permitted shall be brought into use until the disabled parking spaces, cycle parking spaces and electric vehicle charging scheme have been fully implemented in accordance with approved plan A-PL-003 Rev C.

- b. the hours for delivery , servicing and refuse removal for units 3 to 7 on Monday to Saturday in condition 10 being amended to 08:00 – 20:00 Monday to Saturday**

(2) Delegate authority to the Director of Planning and Regeneration to determine the final details of the conditions.

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Wards Affected: St Anns

Item No:
Planning Committee
18 March 2020

Report of Director of Planning and Regeneration

Shell For Mechanics Arms and Flat Over, Alfred Street North

1 Summary

Application No: 19/02365/PFUL3 for planning permission

Application by: Allan Joyce Architects Ltd on behalf of Framework Housing Association

Proposal: Erection of 16 supported living flats and associated management and training facilities following demolition of public house.

This application was deferred by Planning Committee on 19 February 2020 to allow further consideration of objections raised by residents.

The application is brought to Committee due to significant public interest contrary to officer recommendation from local residents with two Ward Councillors having submitted written objections. In addition it is proposed that the planning obligations typically required by adopted planning policies be waived in this case.

To meet the Council's Performance Targets this application should have been determined by 21st January 2020.

2 Recommendations

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

Power to determine the final details of the conditions to be delegated to the Director of Planning and Regeneration.

3 Background

- 3.1 The application building is a two storey vacant public house on the corner of Alfred Street North and St Ann's Way. To the north across Alfred Street is a vacant community building; to the south and west, adjoining the site, and across St Ann's Way to the east, are two storey dwelling houses. The area is generally residential although to the north and east are some commercial buildings.

4 Details of the proposal

- 4.1 Planning permission is sought for a three and four storey, flat roofed building to provide sixteen one-bedroom, one-person supported living flats on the three upper floors with training and staff facilities on the ground floor. The new building would be located on the back edge of the St Ann's Way pavement (the pub is set back). Materials are brick, with a standing seam vertical clad section to upper floors on St

Ann's Way, and aluminium windows. A yard at the rear of the building would provide cycle and bin storage.

- 4.2 The proposed flats would provide safe short-term accommodation for residents; the applicants advise that residents stay in such accommodation for an average of six months. The communal areas on the ground floor would accommodate staff and provide space for one-to-one and group support and advice sessions with residents. The facility would be staffed 24 hours.

5 Consultations and observations of other officers

Adjoining occupiers consulted:

- 5.1 Twenty neighbouring properties were notified by letter dated 28 October 2019. Following concerns raised by residents and Ward Councillors at a Public Meeting on 28 January about the level of consultation, seventy-three neighbouring properties (including those originally notified) were notified by letter dated 31 January 2020. The letters were sent to properties on Sherwin Walk, Welbeck Walk, Bangor Walk, Kilbourn Street and Alfred Street. A site notice was displayed on 29 October 2019. Press advertisement published on 30 October 2019. The planning consultation period expired on 24 February 2020.

Representations were received from six individual residents following this process, objecting to the proposal as follows:

- Such a use, particularly in proximity to Mansfield Road and the city centre, would lead to increased anti-social behaviour and crime;
- Community safety concerns for residents walking past the site, particularly at night;
- The use would lead to parking problems;
- Such a use should not be located in a residential area;
- The use would lead to a fall in house prices (it is noted that this is not a matter for the planning system);
- Location close to the city centre will attract drugs, crime, violence and alcohol abuse;
- The children's play area at Heskey Park will be subject to anti-social behaviour;
- Whilst residents of the facility will receive support inside the building, that support will not be present when residents are outside the building;
- This is a vulnerable area where improvements have been made regarding crime and anti-social behaviour; building a facility for vulnerable people within a vulnerable area has the potential to reverse these improvements.

A petition with twenty-five signatures was received objecting to the proposal. The petition notes existing problems of crime and anti-social behaviour in the immediate area and the concern that the proposed use will add to this. It is noted that there are already four hostel and similar uses in the area.

Nottingham Civic Society objects to the demolition of the former Mechanics Arms in Alfred Street North because it is a building worthy of Local List designation. If the loss of the Victorian building has to be accepted, the proposed replacement building is too large and occupies too much of the site. Its bulk creates an over-bearing building that intrudes incongruously into the historic context, and does not defer to the strong local character of the area.

5.2 In the period between writing the previous Committee Report and writing this report, a further twenty-eight representations have been received, objecting to the proposal as follows:

- The area has the second highest incidence of crime and anti-social behaviour in the city and it is therefore inappropriate to introduce the type of resident that this scheme would house into the area. This would be contrary to Policy HO4 which states that specialist housing and hostel accommodation is acceptable where 'the amenity of existing local residents would not be compromised';
- The area houses a number of disadvantaged and vulnerable people, such as children and the elderly, who will be put at further risk by the proposal;
- The nature of scheme residents means that Heskey Park, which is well used by families and children, will not be safe, being subject to anti-social behaviour, drug dealing, the presence of alcohol and needles;
- The location of the entrance to the flats immediately on the footway of Alfred Street North will lead to community safety concerns on a route that is used by families and children going to school, shops and other facilities;
- This is an area of existing family housing; children should be safeguarded and it is clear that locating a hostel within 45 metres of a playground does not contribute to safeguarding;
- St Anns has had a 'bad press' for many years and the efforts of residents and other agencies to improve the area are jeopardised by this proposal;
- The scheme residents would not provide a good example for children in the area;
- The proposed use is likely to encourage the return of drug dealing and gang crime to the area;
- The transitory nature of the scheme residents would not enable them to integrate into the local community;
- Staff and visitor parking would cause problems on Alfred Street North, which is already congested and badly parked;
- The scale of the building is out of proportion with the surrounding two storey houses;
- The design of the building fails to enhance and respect the area;
- The scale of the building will lead to a loss of light to the neighbouring house at 78 Sherwin Walk;
- The proposal will have a detrimental impact on house prices.

The head teacher of Huntingdon Academy, which is the area's catchment primary school, has written to object to the proposal. He notes that the school has a high number of children who are a safeguarding risk and who walk to and from school. He does not consider that the proposal is in the best interests of the 410 children attending the school.

Inspector James Walker, Neighbourhood Policing Inspector for St Anns has written to object to the proposal. He notes the work carried out by police and community to combat crime and drugs and the negative perception of the area. He considers that the development will house vulnerable persons at risk of, and susceptible to, drug abuse will attract drug dealers and associated issues back into this area.

One representation has been received in support of the proposal, praising the design of the building and the need to provide such accommodation.

Ward Councillor Consultation

- 5.3 A letter was sent by Ward Councillors to 104 properties on 4 November 2019 advising them of the application, asking “are you happy with the plan to develop the former Mechanics pub into flats for service users needing supported living?”. The Case Officer has been provided with nine responses to this process. Of these, four object to the proposal, four are in favour and one is unsure. The responses in favour of the proposal note that the use will provide help for people in need, will lead to rehabilitation and provide housing for the homeless.

Ward Councillor David Liversidge has written to object to the proposal for the following reasons:

- It is on the edge of a large council estate that is very desirable and has a successfully integrated and stable community;
- There is a women's refuge in the vicinity;
- It is very close to Mansfield Road where there is a night time culture;
- It will add to the problems the area is experiencing from a minority of people causing antisocial behaviour and drug dealing in the area.

Ward Councillor Sue Johnson has written to object to the proposal for the following reasons:

- Concern regarding the decision process by which the City Council has contributed funding to this project;
- This area forms part of a police intense investigation regarding street and crack house drug dealing;
- Existing problems in this area due to vulnerable homeless individuals dispersed from the city centre;
- Existing residents and families will need to pass the proposed building to reach Mansfield Road and the city centre, exposing them to anti-social behaviour;
- Anti-social behaviour will spill over from the site onto nearby streets and the recently improved Heskey Park;
- St Anns is already a deprived area with crime and anti-social behaviour and the proposal will add to these issues.

Public Meeting

- 5.4 A public meeting was held on 28 January 2020, attended by approximately twenty-five residents and by the three St Anns Ward Councillors. All residents and Councillors attending the meeting made clear their opposition to the proposal. The concerns raised have mostly been covered above. A further concern expressed is that St Anns has a high crime rate but the situation is improving; the area around the application site in particular has been the subject of recent police action. Given that the area is improving but remains vulnerable to crime, the proposed use has the potential to damage recent progress.

Additional consultation letters sent to:

Pollution Control: No objection.

Highways: No objection subject to the provision of cycle spaces.

6 Relevant policies and guidance

National Planning Policy Framework (2019):

The NPPF advises that there is a presumption in favour of sustainable development and that applications for sustainable development should be approved where possible. Paragraph 124 notes that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve, and that good design is a key aspect of sustainable development.

Paragraph 127 of the NPPF states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Aligned Core Strategies (2014):

Policy 1 - Climate Change

Policy 10 - Design and Enhancing Local Identity

Policy 14 - Managing Travel Demand

Local Plan Part 2 - Land and Planning Policies (January 2020)

Policy CC1: Sustainable Design and Construction

Policy HO4: Specialist and Adaptable Housing

Policy DE1: Building Design and Use

Policy DE2: Context and Place Making

Policy LS4: Public Houses outside the City Centre

Policy TR1: Parking and Travel Planning

Policy EN2: Open Space in New Development

Policy IN4: Developer Contributions

7. Appraisal of proposed development

Main Issues

Whether:

- (i) The loss of the public house is acceptable.
- (ii) The impact of the proposal on neighbouring occupiers is acceptable.
- (iii) The scale and design of the building is appropriate for this location.
- (iv) Planning obligations.

Issue (i) Loss of the public house (ACS Policy 10 and LAPP Policies LS4 and DE2)

- 7.1 A nomination was made in 2016 for the Mechanics Arms / Pride of Erin public house to be included on the List of Assets of Community Value. The nomination was rejected as it appeared from the evidence provided that this pub's actual and current use did not further the social wellbeing and interests of the local community and did not satisfy the statutory tests set out in sections 88 a) to d) of the Localism Act 2011. The criteria of Policy LS4 are considered to be met: alternative public house are available locally and the pub did not constitute a service of particular value to the local community nor would its loss result in a detrimental impact on the character and vitality of the area. The site has been for sale for some time with no interest in purchase as a viable public house. The proposal is thereby acceptable in terms of Policy LS4 of the Local Plan Part 2.
- 7.2 The potential heritage value of the public house has been considered and the conservation officer has noted that the building does not have sufficient architectural or cultural value to be included on the Local List. The building is not in a conservation area and the site is sufficiently remote from the listed former mill on Alfred Street, which is sufficiently robust in its own appearance, not to have any detrimental impact. The proposal is considered to be acceptable in accordance with Policy 10 of the Aligned Core Strategies and Policy DE2 of the Local Plan Part 2.

Issue (ii) Impact of the proposal on neighbouring occupiers (ACS Policies 10 and 14 and LAPP Policies HO4 and DE1)

- 7.3 The proposed sixteen self-contained single-person flats would provide safe short-term accommodation for residents, primarily as 'move-on' accommodation between homelessness and permanent accommodation. The applicants advise that residents stay in such accommodation for an average of six months. The communal areas on the ground floor would accommodate staff and provide space for one-to-one and group support and advice sessions with residents. This would be a managed facility staffed 24 hours. The intention of this type of facility is to encourage independence and to replace 'hostel' type accommodation. The applicant Framework is a charity providing housing, health, support, and care services across the East Midlands and South Yorkshire. Framework have a track record of managing facilities well and recent investigations by council officers into their current facility in the Arboretum has shown that it is well managed and not a significant source of concern to local Councillors or the Police. The design of the building places the entrance on Alfred Street North so that pedestrian access to and from the building would most likely to be to the west, along Alfred Street, to access city centre facilities, rather than to the east into the residential area of St Anns. It is not considered that the proposed use would compromise the amenity of

existing local residents to such a significant degree that planning permission should be refused as contrary to part b) of Policy HO4. The proposal is also in accordance with Policy HO4 part e) regarding satisfactory management arrangements in place to ensure amenity of nearby occupiers is maintained.

- 7.4 This type of facility needs to be in a location where residents can access a range of services and the application site is well located in this regard. It would be a purpose-built facility and is close to public transport routes on Mansfield Road. In this, the proposal would comply with Policy HO4 parts a) a satisfactory residential environment can be achieved for the benefit of the intended occupants and d) the site is accessible to public transport and other services.
- 7.5 Concern has been raised about the location of other hostel and supported accommodation in the area, and although some do exist (for different client groups) these are not in the immediate vicinity and the proximity is not dissimilar than would be expected in any edge of city location. This type of facility needs to be in a location where residents can access a range of services and the application site is well located in this regard. Due to the limited availability of sites, facilities of this nature are almost always located in the vicinity of other residential properties and it is in itself a residential use; the fact that this area contains other residential properties is not a reason to consider it inappropriate. Tackling homelessness is a high priority for the Council and Framework are a key partner providing commissioned services to clients with complex needs. The Council Plan contains a commitment to help homeless people get off the streets. Of the 407 commissioned bed spaces for homeless people in Nottingham citywide, only 17 are located in St Ann's in just seven properties. Framework in particular have 247 bed spaces of supported accommodation, only 4 of which are within St Ann's, in just two properties. The proposal thereby complies with Policy HO4 part c) the use would not result in over-concentration of similar uses in any one area leading to a material change in character.
- 7.6 Given the nature of the intended occupiers, it is unlikely that many residents of the flats would be car owners. This is a sustainable location close to facilities and to public transport routes, encouraging the use of sustainable transport by residents and staff. For a location this close to the city centre, there does not appear to be a substantial problem of on-street parking. The proposal, with a planning condition to ensure the provision of cycle spaces, is considered to be acceptable in terms of its likely impact on the highway network and parking conditions in the area.
- 7.7 The new building would be 1.5m higher than the neighbouring house on St Ann's Way and would be closer to that neighbouring than the existing public house. The windows in the facing side elevation of the house are understood to serve non-habitable rooms. The rear section of the new building would be set away from the boundary and contain obscurely glazed bathroom windows. The impact of the new building on number 78 St Ann's Way is therefore considered to be acceptable in terms of privacy, daylight, sunlight and outlook. The pub currently extends up to the boundary with the neighbouring house at the rear on Kilbourn Street. The roof of the new building would be approximately 0.8m lower than the existing ridge of the pub roof.
- 7.8 In conclusion, the proposal is considered to be acceptable in accordance with Policies 10 and 14 of the Aligned Core Strategies and Policies HO4, TR1 and DE1 of the Local Plan Part 2.

Issue (iii) Scale and Design (ACS Policy 10 and LAPP Policies DE1 and DE2)

- 7.9 The proposed building is four storeys high on St Anns Way and the adjacent house is two storeys. The proposed building would at this point be set below pavement level by approximately 1m below pavement level at this point and the adjacent house is set higher due to the change in levels. The flat roof of the new building would therefore be 1.5m higher than the ridge of the house. On Alfred Street North, the proposed building is three storeys high and its roof would be 0.3m below the ridge of the neighbouring house on Kilbourn Street. It is considered acceptable for buildings on corners in this area to have a certain presence; this is the case with the community building to the north, the mill buildings to the west and the newer student accommodation on Kilbourn Street. The scale of the building is considered to be acceptable in design terms. The elevations repeat the contemporary quality that is represented by other recent developments on the opposite side of Kilbourn Street, with a simple fenestration pattern being enhanced by the use of larger sized window openings, with reveals and modest detailing. Breaks in the roofline are also provided to suit the gradient of the street. The proposal is considered to be acceptable in accordance with Policy 10 of the Aligned Core Strategies and Policies DE1 and DE2 of the Local Plan Part 2.

Issue (iv) Planning Obligations (LAPP Policies EN2 and IN4)

- 7.10 A policy compliant planning obligation for the proposed development would be expected to provide a contribution of £15,312 to enhance existing areas of open space, or else make provision for additional areas of open space within the locality.
- 7.11 A City Council Delegated Decision was made in December 2019 to allocate Section 106 affordable housing contributions, from the agreement linked to Woodhouse Park (planning ref. 13/01703/POUT), to grant fund Framework to provide new affordable housing. The applicant has submitted a viability appraisal which shows that the scheme would not be viable without the grant fund provided by the City Council because Framework do not undertake projects which have an internal rate of return below their borrowing rate of 4.5%.
- 7.12 The viability appraisal shows that the scheme would be able to support an open space contribution of £15,312 whilst retaining an internal rate of return above 4.5%. Nevertheless, the rate of return of 5.25% provided by the scheme is only marginally above the borrowing rate and substantially below the return that would be expected by a private developer. It is also the case that, as a charitable organisation, Framework do not seek to make a profit and that the viability appraisal does not include contingency figures. The grant of £500,000 provided by the City Council comprises Section 106 Affordable Housing funding and it is not considered appropriate to effectively require this money back via a planning obligation to be redirected to public open space.
- 7.13 It is considered that given its contribution to Council key objectives and its compliance with other Policies of the Local Plan, it is acceptable on balance that good reason exists to depart from policy IN4 and that no planning obligation be sought in respect of open space.

8. Sustainability / Biodiversity

Whilst no specific features have been highlighted in the planning application, the building would need to incorporate appropriate energy/water conservation

measures in order to comply with current Building Regulations. It is considered that this is sufficient to satisfy the requirements of Policy 1 of the Aligned Core Strategies and Policy CC1 of the Local Plan Part 2. It is not considered that there are any biodiversity implications.

9 Financial implications

None.

10 Legal implications

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

11 Equality and Diversity implications

None.

12 Risk management issues

None.

13 Strategic priorities

13.1 The proposal contributes to meeting Theme Three of Nottingham's Housing Strategy 2018-2021: the challenge of homelessness prevention and providing specialist and supported housing.

13.2 The proposal contributes to meeting key objective of the Nottingham City Council Plan 2019-2023: build or buy 1,000 Council or social homes for rent.

14 Crime and Disorder Act implications

The proposed building will provide accommodation for the homeless, which will allow for better behaviour management; this should have a positive impact on Crime and Disorder, anti-social behaviour and fear of crime.

15 Value for money

None.

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

1. Application No: 19/02365/PFUL3 - link to online case file:
<http://publicaccess.nottinghamcity.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PZRI19LYJO100>

17 Published documents referred to in compiling this report

Nottingham Local Plan – Part 2 (January 2020)
Aligned Core Strategies (September 2014)

Contact Officer:

Mr Phil Shaw, Case Officer, Development Management.

Email: philip.shaw@nottinghamcity.gov.uk. Telephone: 0115 8764076

NOMAD printed map



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0 0.015 0.03 km



Key

 City Boundary

Description

No description provided



My Ref: 19/02365/PFUL3 (PP-08231824)
Your Ref:
Contact: Mr Phil Shaw
Email: development.management@nottinghamcity.gov.uk



**Nottingham
City Council**

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

Tel: 0115 8764447
www.nottinghamcity.gov.uk

Allan Joyce Architects Ltd
16-20 Bath Street
Nottingham
NG1 1DF

Date of decision:

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

Application No: 19/02365/PFUL3 (PP-08231824)
Application by: Framework Housing Association
Location: Shell For Mechanics Arms And Flat Over , Alfred Street North, Nottingham
Proposal: Erection of 16 supported living flats and associated management and training facilities following demolition of public house.

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 the following have been submitted to and approved in writing by the Local Planning Authority:
 - a) details of all external materials;
 - b) details of boundary railings;
 - c) details of a scheme for the sustainable urban drainage of the site, designed to reduce the surface water discharge rate/impermeable surfaces by 30%.
 - d) a travel plan detailing the provision and promotion of sustainable transport measures for use by residents, staff and visitors.

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

Reason: To ensure that the appearance of the site is satisfactory and to avoid flood risk in accordance with Policies 1 and 10 of the Aligned Core Strategies and Policies CC3 and DE1



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Not for issue

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of the Local Plan Part 2.

Pre-occupation conditions

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

3. A landscaping and planting scheme shall be provided for the development. In particular:
- a) no flat shall be occupied until a detailed landscaping scheme indicating the type, height, species and location of all new trees and shrubs, comprising native species and plants attractive to pollinators, has been submitted to and approved in writing by the Local Planning Authority;
 - b) the approved landscaping scheme shall be carried out in the first planting and seeding seasons following the occupation of the flats or the completion of the development whichever is the sooner; and
 - c) any trees or plants which die, are removed or become seriously damaged or diseased within a period of five years shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the appearance of the development is satisfactory and in the interests of biodiversity in accordance with Policies 10 and 17 of the Aligned Core Strategies and Policies DE1, DE2 and EN6 of the Local Plan Part 2.

4. No flat shall be occupied until the bin storage and cycle parking shown on the approved plans has been provided and the site has been enclosed in accordance with the approved details.

Reason: To ensure that the appearance of the site is satisfactory and in the interests of the living conditions of residents of the development and neighbouring occupiers in accordance with Policy 10 of the Aligned Core Strategies and Policy DE1 of the Local Plan Part 2.

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 22 October 2019.

Reason: To determine the scope of this permission.

Informatives

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

2. 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.

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: 19/02365/PFUL3 (PP-08231824)

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

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

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

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

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

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

PURCHASE NOTICES

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

COMPENSATION

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



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