

Wards Affected: St Ann's (May 2019)

Item No:

**Planning Committee
22nd September 2021**

Report of Director of Planning and Regeneration

248-262 , Huntingdon Street, Nottingham NG1 3NB

1 Summary

Application No: 21/01023/PFUL3 for planning permission

Application by: Franklin Ellis Architect on behalf of Bildurn (Properties) Ltd.

Proposal: Demolition and redevelopment including retention of corner facade to Huntingdon Street / Howard Street frontage to provide purpose built student accommodation

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

To meet the Council's Performance Targets this application should have been determined by 6th August 2021. An extension of time has been agreed with the applicant until 30th September 2021.

2 RECOMMENDATIONS

2.1 To **GRANT PLANNING PERMISSION** for the reasons set out in this report, subject to:

- (i) the indicative conditions substantially in the form of those listed in the draft decision notices at the end of this report;
- (ii) prior completion of a Section 106 Planning Obligation to secure the following:
 - (a) an off-site Open Space contribution of £302,987
 - (b) local employment and training during construction, including a financial contribution of £42,316
 - (c) a student management plan and restriction on occupants keeping private vehicles within the City

2.2 Power to determine the final details of both the terms of the Planning Obligation and the conditions of planning permission to be delegated to the Director for Planning and Regeneration.

2.3 That Committee are satisfied that Regulation 122(2) Community Infrastructure Levy Regulations 2010 is complied with, in that the planning obligations

sought are (a) necessary to make the development acceptable in planning terms, (b) directly related to the development and (c) fairly and reasonably related in scale and kind to the development.

3 SITE, SURROUNDINGS AND BACKGROUND

- 3.1 The application site comprises the buildings currently occupied by Halfords Auto Centre and Archer Accident Group fronting Huntingdon Street, with secondary frontages to Howard Street and Perth Street. The site is opposite the recently constructed 5 storey student accommodation scheme above ground floor commercial units at 185-191 Huntingdon Street and in close proximity to the Victoria health centre and Numark pharmacy on Perth Street, and the Victoria Shopping Centre on Glasshouse Street.
- 3.2 The local area is dominated by the multi-story Victoria Centre which rises at its highest to 19 storeys in relatively close proximity to the site. Huntingdon Street is an edge of City Centre thoroughfare with a mixture of commercial, retail and residential/student accommodation uses.
- 3.3. None of the buildings within the site are listed nor is this within a designated conservation area. However, the adjacent former Barton's Bus Depot at 270-276 Huntingdon Street is a Grade II listed building and the building on the Huntingdon Street/Howard Street corner within the application site is of commensurate age and Art Deco style and included on the Local List.
- 3.4 The area immediately around the site has seen significant redevelopment over the last ten to fifteen years, which appears set to continue. Recent developments near the site include the Confetti Institute of Creative Technologies, a further education provider which is now part of Nottingham Trent University, as well as several purpose built student accommodation (PBSA) schemes approved or currently under construction within the locality. A new PBSA scheme has recently been given planning approval on the corner of Glasshouse Street and Howard Street which sits adjacent the proposed development site.
- 3.5 The site is within the City Centre boundary defined by the LAPP but falls outside of the Creative Quarter and nearest Primary Shopping Area designations.

4 DETAILS OF THE PROPOSAL

- 4.1 The proposal would involve demolition of the majority of the existing buildings on the site with the exception of the art deco façade on the Huntingdon Street/Howard Street frontage. The new building would be 4 storeys behind the retained façade, 5 storeys along the Howard Street frontage and then rise to 7 storeys over the former Halfords unit on the Huntingdon Street and Perth Street frontages. In total the scheme would provide 294 student bedrooms in

a variety of studios and cluster flats, with shared recreation facilities, amenity space and cycle parking.

- 4.2 The majority of the ground floor would be amenity/recreation space with two 5 bed cluster flats fronting Perth Street, where it is also proposed to enhance the public realm along this frontage. The main entrance is to be from the corner of Huntingdon Street and Howard Street and service access would largely be from Howard Street.
- 4.3 80 cycle parking spaces would be provided in secure ground floor enclosures. The bin store is located on the accessway between Howard Street and Perth Street, providing space for 26 x 1100 litre bins.
- 4.4 The proposed scheme includes a combination of air source heat pumps and secondary gas fired boilers alongside an energy efficient design for the building.

5 CONSULTATIONS AND OBSERVATIONS OF OTHER OFFICERS

Adjoining occupiers consulted:

329 Neighbouring properties were notified by letter, a site notice posted and press notice published. The overall expiry date was 28 July 2021.

1 letter of objection has been received to the proposal from a member of the public. Comments have also been received from the Nottingham Civic Society and a Ward Councillor.

The following concerns have been raised by a member of the public:

- The development would cause more student noise on top of the students already living in this area.
- There will be more rubbish at the back of Victoria centre which already looks a run-down place, the extra cleaning will cost the council.
- There will be more students drinking in the street, it's a no alcohol zone but nobody is patrolling this area.
- Drunken students in the streets, being sick, screaming and shouting could have effect on local business by putting off customers who would not feel safe in this area.
- The proposed building will block out any sun that is received in the local beer gardens in the summer.
- There are too many student buildings that are empty.

The Ward Councillor comments as follows:

Strongly object to the proposal. There is great unrest in the community about more student flats. We are being surrounded by flats for student accommodation. What we need is more social housing for people who have been residents for decades and yet their daughters, sons, grandchildren are

being forced to private rent in the area. This issue is breaking up communities like St Ann's.

The Civic Society comment as follows:

Nottingham Civic Society objects to the demolition of part of a building on the Nottingham Local List. Retention of only the Art Deco corner facade of the office building, robs the heritage asset of its integrity and also results in taller elements of the new building dominating and overwhelming the scale of the historic structure.

The proposed new building up to seven storeys in height, adversely affects the setting of two other twentieth-century buildings which give character to this stretch of Huntingdon Street - the Grade II listed former Barton's Bus Depot and the retail frontage at Huntingdon House, (278-290) itself recommended for the Nottingham Local List. Together with the application premises, these three buildings of comparable age and scale, and two of them associated with motor transport, form an harmonious group of heritage assets which deserve some respect, so it is disappointing that the applicant's Heritage Appraisal fails to recognise the value of this group in its assessment of the impact of the new development.

The Art Deco office building should be retained in its entirety and the proposed Huntingdon Street block adjoining it should be reduced by two storeys in height to allow the character of the older buildings to be appreciated in the streetscape and to avoid harm to the setting of the listed building.

Additional consultation letters sent to:

Environmental Health and Safer Places: No objection subject to conditions regarding: noise and dust management plan, air quality, an environmental noise assessment and sound insulation scheme, and contaminated land.

Highways: No objection subject to the submission of details to be secured by condition relating to a construction management scheme and the provision of a cycle storage.

Drainage: No objection. Satisfied with the additional information provided relating to the drainage strategy and treatment of surface water.

City Archaeologist: No objection subject to a condition requiring submission of a programme of archaeological works, initially consisting of an archaeological evaluation.

Education: No education contribution required as it is a student accommodation.

Biodiversity: Satisfied with the submitted Biodiversity Enhancement Plan. Wants to see implementation of the suggested measures within the plan.

Environment Agency: No objection.

6 RELEVANT POLICIES AND GUIDANCE

National Planning Policy Framework (2021):

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 126 notes that the creation of high quality beautiful and sustainable 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 130 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.

In determining applications that may affect heritage assets, paragraph 194 of the NPPF advises that local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Paragraph 197 of the NPPF then states that in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraphs 199 – 202 indicate that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation...irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Paragraph 200 states that Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

Paragraphs 203-205 require that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new

development will proceed after the loss has occurred.

Aligned Core Strategies (ACS) (2014)

Policy A: Presumption in Favour of Sustainable Development

Policy 1: Climate Change

Policy 5: Nottingham City Centre

Policy 7: Regeneration

Policy 8: Housing Size, Mix and Choice

Policy 10: Design and Enhancing Local Identity

Policy 11: The Historic Environment

Policy 14: Managing Travel Demand

Policy 17: Biodiversity

Policy 19: Developer Contributions

Land and Planning Policies (LAPP) (2020)

Policy CC1: Sustainable Design and Construction

Policy CC3: Water

Policy EE3: Change of use to non-employment uses

Policy EE4: Local and Training Opportunities

Policy RE1: Facilitation Regeneration

Policy HO1: Housing Mix

Policy HO5: Locations for Purpose Built Student Accommodation

Policy HO6: Houses in Multiple Occupation (HMOs) and Purpose Built Student Accommodation

Policy DE1: Building Design and Use

Policy DE2: Context and Place Making

Policy EN2: Open Space in New Development

Policy EN6: Biodiversity

Policy HE1: Proposals Affecting Designated and Non-Designated Heritage Assets

Policy IN2: Land Contamination, Instability and Pollution

Policy IN4: Developer Contributions

Policy TR1: Parking and Travel Planning

Supplementary Planning Documents (SPDs)

Biodiversity SPD (2020)

The Provision of open Space in New Residential and Commercial Development (2019)

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990

Even though the application site itself is not a designated listed building or within a Conservation Area, in the near vicinity there is one Grade II listed building (former bus garage) at 270-276 Huntingdon Street. As such

consideration needs to be given to section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which places a duty on local planning authorities to have special regard to the desirability of preserving a listed building or its setting, or any features of special architectural or historical interest which it possesses.

The duty requires considerable importance and weight to be given to the desirability of preserving the setting of all listed buildings (including Grade II) however, it does prevent the granting of planning permission. A balancing exercise must be undertaken between the harm caused and the benefit the development will bring.

7. APPRAISAL

Main Issues

- (i) Principle of the Development
- (ii) Design, Scale and Impact on Townscape and Heritage Assets
- (iii) Impact on the Amenities of Surrounding Residents and Future Occupants
- (iv) Highway Considerations
- (v) Other Matters

(i) Principle of the Development (Policies A, 5, 7 and 8 of the ACS, Policies EE3, RE1, HO1, HO5 and HO6 of the LAPP)

- 7.1 The proposals would result in the redevelopment of a site which was last in retail/ employment use. Policy EE3 of the LAPP requires applications for the regeneration of previously used employment sites and premises to be assessed against certain criteria to ensure that there is a sufficient supply of alternative employment land and premises, and that the regeneration benefits of a particular scheme are also taken into consideration. The supporting text of the policy states that the developer should demonstrate that any loss of employment will not prejudice the supply of sites or premises available for employment use. This exercise should be related in scope to the scale of the existing employment use. Where the use is of local significance (defined as less than 0.4 ha), it will only be necessary to assess alternative supply in the locality of the proposal.
- 7.2 The proposal is considered to be of local significance as the site area is only 0.226 ha. The existing occupiers have no particular locational need to be in this edge of City Centre location and could easily relocate to alternative premises within other established industrial areas within the City. The existing buildings within the site are of an age and quality that have a limited future life that would allow for continued employment use without redevelopment. Moreover, the proposed development would create new full and part-time employment through construction, and the management and maintenance of the PBSA. On this basis, policy EE3 is felt to have been satisfied.

- 7.3 The proposal also needs to be considered against policies 5 and 8 of the ACS and policies HO5 and HO6 of the LAPP.
- 7.4 Policy 5 of the ACS supports City Centre living initiatives including student housing where appropriate. Policy 8 of the ACS sets out, inter alia, that residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes in order to create sustainable, inclusive and mixed communities. This includes the development of PBSA in appropriate locations, to help reduce the demand for HMO properties and the negative impact that high concentrations of these can have on local communities.
- 7.5 Policy HO5 (Locations for Purpose Built Student Accommodation) and HO6 (Houses in Multiple Occupation (HMOs) and Purpose Built Student Accommodation) are also relevant in this regard. Policy HO5 identifies the locations where PBSA will be appropriate, subject to a justification for the need of the accommodation. It encourages PBSA within the City Centre boundary, subject to accordance with site and area specific policies.. Policy HO6 states that HMO/PBSA development will only be granted where it does not conflict with policies HO1 (Housing Mix) and HO2 (Protecting C3 Dwellings) and does not undermine local objectives to create or maintain sustainable, inclusive and mixed communities.
- 7.6 The provision of further good quality PBSA in the City Centre is likely to attract students that would otherwise occupy houses of multiple occupation outside of the City Centre, freeing up such accommodation for families and assisting in rebalancing communities currently with high concentration of student occupation. The scheme would therefore help to deliver an important element of the Council's housing policy, including the long term aim to promote high quality PBSA in the right locations. It would not only help to meet the housing needs of a growing student population, and reduce the demand on the City's existing housing stock, but also have a broader role to play in facilitating redevelopment of key sites within the City Centre, adding vitality and the economic benefits of regeneration in these areas.
- 7.7 In spite of the Covid 19 pandemic, monitoring reports on the provision of student accommodation have consistently illustrated the need to maintain an on-going supply of additional bedspaces in order to meet increases in the number of students attending further education courses within the City. The strategy to meet this on-going supply has been, in part, to focus upon the provision of high quality PBSA within the City Centre, in accordance with policy HO5 of the LAPP.. Policy HO6 of the LAPP requires assessment of the concentration of student households when considering new student accommodation, other than the areas identified within policy HO5 as being suitable for such development, as referred to above.
- 7.8 Policy HO6 also requires that schemes are designed in such a way that they are capable of being re-configured through internal alterations to meet general housing needs in the future. It is evident from the applicant's submission that the building could be adapted to become an apartment building with no significant intervention to its structure or envelope. In addition, stairs are

provided in positions that would allow cluster flats and studios to become individual apartments of 1, 2 or 3 bedrooms. The policy requirement for adaptability is therefore met.

- 7.9 In light of the above, the principle of the proposed scheme is considered to be acceptable in accord with policies A, 5, 7 and 8 of the ACS, policies EE3, RE1, HO1, HO5 and HO6 of the LAPP.

(ii) Design, Scale and Impact on Townscape and Heritage Assets
(Policies 10 and 11 of the ACS, Policies DE1, DE2 and HE1 of the LAPP. S66 of the Planning (Listed Buildings and Conservation Areas) Act 1990)

- 7.10 The majority of the buildings within the site boundary are in a poor state of repair and of little or no architectural value, particularly within a City Centre context. Redevelopment of the site with buildings of an appropriate scale and design would offer the opportunity to improve the contribution the site makes to local character.
- 7.11 The submitted scheme has been developed through extensive pre-application and post submission discussions in relation to its design, scale, mass and form. The Civic Society has raised concern about the scale/height of the proposed development, some of which was shared by officers. The scheme has been revised accordingly by reducing one storey above the existing Art Deco building and with a redesign of the top floor fronting Perth Street, which has been slightly recessed and a more glazed treatment introduced.
- 7.12 The scale and massing of the proposed scheme has been developed in light of the neighbouring development on surrounding streets and by responding separately to the particular context of each street frontage. The tallest elements (7 storeys) would be situated on the Huntingdon Street frontage, acting as a focal when viewed along this primary radial route. The development then changes to reflect the different environments along Howard Street (5 storeys) and Perth Street (7 storeys but with a recessed and lightweight top floor), forming appropriately scaled frontages which activate the street and public realm and respond sympathetically to adjacent buildings. Attention is in particular focused on the heritage asset within the site which becomes assimilated into the overall block, acting as a striking feature of the Huntingdon Street frontage. It also respects the historic frontage that along with the adjacent heritage assets, it forms an important part of. Whilst the concerns raised by the Civic Society regarding this building are noted, the proposal is felt to have been a considered and respectful approach to its integration within the overall scheme.
- 7.13 For most of the external facades, brick is proposed as the primary material, with the addition of detailed elements in glazed terracotta and perforated metal panels. Lighter grey blends are proposed for elevations which sit as a backdrop, such as that of the courtyard area and behind the retained Art Deco facade. Revisions to the scheme to enhance its design have included:
- Creation of a gap between the Howard Street elevation and new

second floor above the retained Art Deco facade

- Strengthening of the entrance within the existing building and glazed link to Howard Street
- Redesign of end elevations to both the Howard street and Huntingdon Street blocks where they site above the retained facade, to provide more interest and reduce mass
- Redesign of the Huntingdon Street elevation to provide a better relationship with the Art Deco frontage. Verticality and detail have been improved, colour and symmetry added. The brickwork has been taken down to street level.
- Clerestory introduced (and further refined) to the Perth Street frontage and a vertical dark brick introduced between the red brick and the buff/grey brick elements on Huntingdon Street and Perth Street respectively. Perth Street streetscape opened up with more soft landscaping and appropriate boundary enclosure.

7.14 The existing Art Deco building to the corner of Huntingdon Street and Howard Street makes a positive contribution to the character of the immediate area. The proposed retention and refurbishment of the facade of this building would therefore have a positive impact on the street scene. The overall scheme would also assist in repairing the frontages of this urban block on Howard Street and Perth Street, whilst uplifting the street scene on Huntingdon Street.

7.15 With regards to the impact of the proposal on local heritage assets, the crucial aspect for consideration is:

- Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and the duty of having special regard to the desirability of preserving a listed building or its setting, or any features of special architectural or historical interest which it possesses

7.16 The NPPF glossary states that: *“The setting of a heritage asset is the surroundings in which it is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral”*.

7.17 In this instance, the Grade II listed former bus depot at 270 -276 Huntingdon Street is located adjacent to the site.. The building is a little-altered, purpose-built bus garage designed in a 'Modern' style for the Barton Transport bus company. It was completed in 1939 and is a distinctively detailed example of inter-war transport architecture. There is a strong correlation between this and the similarly Art Deco styled building on the corner of Huntingdon Street/Howard Street within the application site. This is not of national significance but a locally listed heritage asset, which is of low to medium significance. The most significant element of this building is its façade and the scheme has therefore be designed around its retention and, indeed, incorporation as a feature of the development. The remainder of this building is not of such significance and its demolition is therefore considered to be acceptable, within the context of the overall design of the scheme. Not

only does this retained façade help to preserve the setting of the neighbouring listed building, but the associated reduction in the scale of the development on this corner does likewise. It is considered that any harm to either of these heritage assets would be less than substantial and outweighed by the public benefit of regenerating this brownfield site, in both townscape terms and also through the provision of much needed student accommodation in an appropriate location.

- 7.18 It is concluded above that the proposed development would have a positive visual impact upon the site and its surroundings. The scheme would not impact on any key views identified with the Nottingham Urban Design Guide and it is considered that the site would not appear or disrupt any wider viewing corridors. In relation to the statutory duty imposed by sections 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is concluded that the setting of the adjacent listed bus garage would be enhanced.
- 7.19 Overall, it is considered that the proposed development would provide a range of positive benefits that would represent a significant enhancement when compared with the current site characteristics. Subject to precise materials, landscaping and building management details being secured by condition, it is considered that the development would be a positive addition to the site and wider townscape in accord with policies 10 and 11 of the ACS and policies DE1, DE2, HE1 and HE2 of the LAPP.

(iii) Impact on the Amenities of Surrounding Residents and Future Occupants (Policy 10 of the ACS, Policies DE1 and IN2 of the LAPP)

- 7.20 Representation received from a local resident has raised concern about potential noise, waste and antisocial behaviour generated by the proposed PBSA. The Ward Councillor has also raised concern about impact of further student accommodation on the St Ann's community.
- 7.21 Whilst the potential for antisocial behaviour will always exist in student developments, a student management plan as a requirement of the S106 obligation would include a commitment for an operator to work proactively with the local community, including 24 hour contact details and community liaison. Restrictions on keeping private vehicles within the City would also be applied and has been a proven deterrent to the potential impact of car parking. It is therefore considered that appropriate student management measures would mitigate the potential of any impact of the PBSA on the local community in accordance with Policy HO6 of the LAPP.
- 7.22 The site itself is away from main residential areas and is very commercial in character and context. Its re-use to accommodate PBSA and to help meet the Council's wider housing aspirations should therefore be supported.
- 7.23 Noise impact and air quality assessments have been submitted for consideration as part of the application, which have been reviewed by Environmental Health (EH) colleagues and are considered to be acceptable. Standard conditions have been requested to address appropriate mitigation

measures. EH have also requested a Noise and Dust Management Plan to minimise disturbance to nearby residents during construction.

- 7.24 The proposed rooms within the accommodation are of standard size with communal areas for the occupants of the building offering a variety of spaces for study, relaxation, socialising and entertainment. External amenity space would be situated within the courtyard at ground floor level. A secure 'garden' would be provided along the length of the building on Perth Street, providing a green buffer to the street, greater security and improved amenity.
- 7.25 The proposal therefore complies with policy 10 of the ACS and policies DE1 and IN2 of the LAPP in this regard.

(iv) Highway Considerations (Policies 10 and 14 of the ACS, Policy TR1 of the LAPP)

- 7.26 The application is supported by a detailed Transport Statement which has been reviewed by Highways colleagues. Policy TR1 of the LAPP seeks to preclude development that would be detrimental to highway safety and to ensure that proposals include a sufficient package of measures to minimise journeys by private car and support journeys by sustainable modes of transport, in line with the transport hierarchy set out within policy 14 of the ACS.
- 7.27 The proposal does not include any on-site parking provision, which is considered appropriate given the site's location within the City Centre, and proximity to sustainable transport modes and core services.
- 7.28 It is proposed to provide 80 cycle spaces within the site. NCC's current requirements for cycle storage are 1 cycle space per 4 bed spaces, plus 1 cycle space per 5 visitors. Based on a total number of beds of 294 – this would result in a provision of 132 total cycle spaces. However, given the prime city centre location, with local amenities all being within a short walking distance, a reduced provision of cycle parking spaces is acceptable. The cycle parking would be internal and secure, accessed directly from the building and via the secure access way connecting Perth Street and Howard Street.
- 7.29 No objections have been raised by Highways colleagues and subject to their recommended conditions, the development is considered to accord with policies 10 and 14 of the ACS and policy TR1 of the LAPP.

(v) OTHER MATTERS

Flood Risk and Drainage (Policy 1 of the ACS, Policy CC3 of the LAPP)

- 7.30 The site is located within Flood Zone 1 in accordance with Environment Agency Flood Map. The application has been reviewed by Drainage colleagues and the Environment Agency and no objection raised to the proposed development. The site has historically been occupied by built form and it is not considered that the proposed development would significantly

alter the flood profile in the area. Further information submitted by the applicant has confirmed that the proposal would reduce discharge rates by at least 30% (and achieve a greater betterment for more significant events). This would be achieved by attenuation and flow control, and with permeable lined paving systems. There would also be a green roof which would contribute to the overall benefit of the site. All these measures are welcomed by the Drainage team. The development therefore accords with policy 1 of the ACS and policy CC3 of the LAPP.

Archaeology (Policy HE1 of the LAPP)

- 7.31 The site is within an area of known medieval activity and the desk based assessment has demonstrated that there is potential for archaeological remains of medieval and post medieval date, including caves, to survive on the site. Conditions relating to a programme of archaeological works, initially consisting of an archaeological evaluation, have been requested by the Council's Archaeologist and can be secured by condition.

Contamination (Policy IN2 of the LAPP)

- 7.32 A ground contamination report has been submitted with the application and reviewed by EH. They have raised no objection and requested standard conditions to deal with the risks associated with ground, groundwater and ground gas contamination of the site.

Planning Obligations (Policy 19 of the ACS, Policies IN4, EN2 and EE4 of the LAPP)

- 7.33 In order to comply with the requirements of the relevant development plan policy and Supplementary Planning Guidance, the developer is required to enter into a section 106 obligation to secure the following:

Public Open Space - a financial contribution of £302,987 (294 bedspaces x £1031). The contribution is based on the formula within the Council's Open Space Supplementary Planning Guidance, and would be used towards the provision or enhancement of off-site open space or public realm. This contribution is in accordance with policy 16 of the ACS and policy IN4 of the LAPP.

Local Employment and Training (LE&T) - the provision of LE&T opportunities, including a financial contribution of £42,316 to facilitate the targets set out within the LE&T Plan. This is in accordance with the requirement of policy EE4 of the LAPP.

A student management plan. The plan shall include contact details for those responsible for managing the behaviour of future residents, provisions to prevent students from keeping a motor vehicle in the City whilst in occupation at the accommodation, and arrangements for waste and litter management.

8. Sustainability/Biodiversity (Policies 1 and 17 of the ACS, Policies CC1 and EN6 of the LAPP)

8.1 The proposal would deliver long-term biodiversity enhancements to a site that is currently devoid of habitats or features of ecological value. The enhancement proposals include a planting scheme within the inner courtyard and along the frontage to Perth Street. The proposal also include two semi extensive green roofs to maximise biodiversity enhancements. Three integrated bat boxes and 6 woodstone/woodcrete bird boxes are to be provided on the walls of new buildings to enhance roosting and nesting opportunities within the site. Four invertebrate boxes would be also provided (3 within green roof areas and 1 within inner courtyard). The above measures would ensure biodiversity enrichment across the site and in accordance with the Biodiversity SPD. The implementation of the proposed enhancement measures can be secured through condition. The proposal is therefore in accordance with policies 1 and 17 of the ACS and policies CC1 and EN6 of the LAPP.

8.2 An Energy statement and Sustainability report has been submitted as part of the application. This set out the following sustainability measures to be incorporated into the scheme:

- A fabric first approach is being adopted. The proposal includes insulation specification which would deliver a minimum 30% increase to the Building Regulation requirement for levels of thermal insulation.
- The Air Permeability target would deliver a minimum 60% improvement on air permeability requirements. The proposed ventilation strategy, inclusive of mechanical ventilation heat recovery (MVHR), works well with lower air permeability. This should improve the efficiency of the units installed and ensure heat remains within the development as well as adequate ventilation levels. Currently the design would recover approximately 80% of all the heat from extracted air.
- The inclusion of Air Source Heat Pumps to provide the whole buildings hot water demand, as well as heating and cooling demands to the communal spaces. This is in accordance with the aim of Council's CN2028 to heat buildings through low carbon or renewable technologies. The living accommodation is to be heated via direct electric heating and whilst this is not a low carbon or renewable technology, grid electric is continuing to decarbonise thus the CO2 emissions associated with this form of heating should continue to decline over time.

9 Financial Implications

Financial contributions as detailed above are in accordance with policies IN4, EN2 and EE4 of the LAPP and relevant Supplementary Guidance.

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.

There is an overarching statutory duty imposed by s.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, requires considerable weight to be given to the desirability of preserving the setting of all listed buildings,.

11 Equality and Diversity Implications

The proposed development has been designed to be compliant with current Building Regulation standards in terms of accessibility and requirements under the Disability Discrimination Act. The building will have accessible doors and corridors suitable for wheel chair users and lifts are proposed at every stair core.

12 Risk Management Issues

None.

13 Strategic Priorities

Neighbourhood Nottingham: Redevelopment of a partially cleared brownfield site with a high quality, sustainable and mixed-use development

Safer Nottingham: The development enhances the surrounding pedestrian environment and incorporates active ground floor frontages that would contribute to a safer and more attractive neighbourhood

Working Nottingham: Ensuring Nottingham's workforce is skilled through Local Employment and Training opportunities

14 Crime and Disorder Act implications

The development would enhance natural surveillance in and around the site.

15 Value for money

None.

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

1. Application No: 21/01023/PFUL3- link to online case file:

<https://publicaccess.nottinghamcity.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

17 Published documents referred to in compiling this report

NPPF (2021)

Aligned Core Strategies – Local Plan Part 1 (2014)

Land and Planning Policies – Local Plan Part 2 (2020)

Biodiversity (2020) SPD

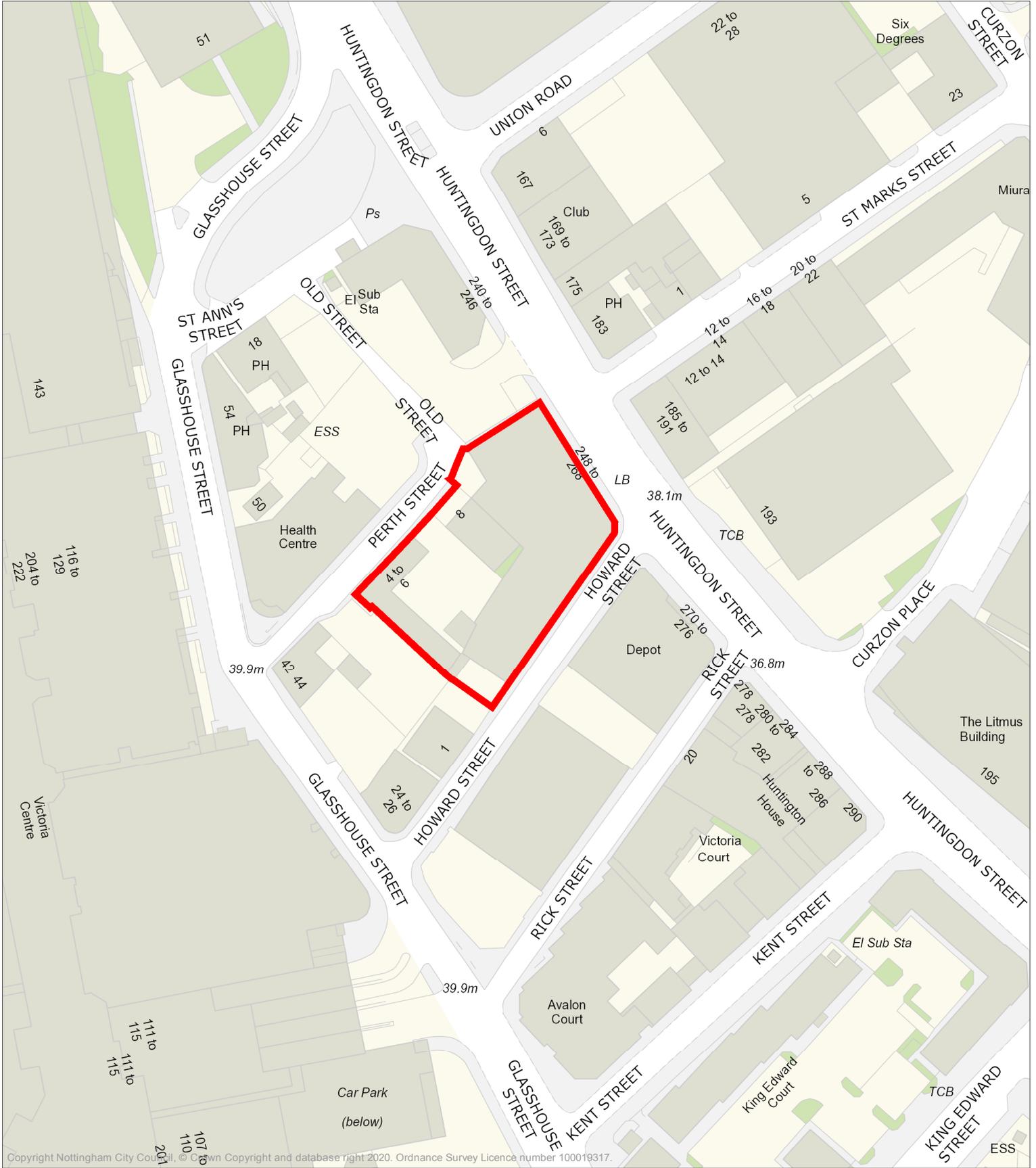
The Provision of open Space in New Residential and Commercial Development (2019) SPD

Contact Officer:

Mohammad Taufiqul Islam, Case Officer, Development Management.

Email: Mohammad.Taufiqul-Islam@nottinghamcity.gov.uk

NOMAD printed map



Key
 City Boundary

Description
 No description provided

My Ref: 21/01023/PFUL3 (PP-09753713)
Your Ref:
Contact: Mr Mohammad Taufiqul-Islam
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

Franklin Ellis Architects Andy Dowding
The Old Pumphouse
5 The Ropewalk
Nottingham
NG1 5DU
United Kingdom

Date of decision:

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

Application No: 21/01023/PFUL3 (PP-09753713)
Application by: Sean Akins
Location: 248-262 , Huntingdon Street, Nottingham
Proposal: Demolition and redevelopment including retention of corner facade to
Huntingdon Street / Howard Street frontage to provide purpose built student
accommodation

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

Time limit
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. <i>Reason: In accordance with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</i>
Pre-commencement conditions (The conditions in this section require further matters to be submitted to the local planning authority for approval before starting work)



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Not for issue

Continued...

2. Prior to the commencement of development, a construction traffic management plan (including a demolition construction traffic management plan and a traffic management plan for above ground works) shall be submitted to and agreed in writing with the Local Planning Authority. Provision shall be made for the parking of all site operatives, visitors and construction vehicles when loading and offloading during the construction period. The construction traffic management plan shall also include a construction traffic routing agreement.

The approved plan shall be implemented at all times whilst the development is under construction.

Reason: To ensure that the construction of the development has no adverse impact on the local highway network and has no significant impact on neighbouring properties to accord with policy DE1 and TR1 of the LAPP.

3. Prior to the commencement of the development, a Remediation Strategy should be designed based on a phase II site investigation that includes the following components to deal with the risks associated with ground, groundwater and ground gas contamination of the site shall be submitted to and be approved in writing by the Local Planning Authority:

- a) A Site Investigation, based on Phase I Geo-Environmental Desk Study Report by GeoDyne referenced 40260 dated 22nd January 2021
- b) a detailed assessment of the risk to all receptors that may be affected, including those off site.
- c) A Remediation Plan, based on a) and b) above, giving full details of the remediation measures required and how they are to be undertaken (including a contingency plan for dealing with any unexpected contamination not previously identified in the Site Investigation).
- d) A Verification Plan providing details of the data that will be collected in order to demonstrate that the works set out in c) above are complete.

The Remediation Strategy shall be carried out in accordance with the approved details unless varied with the express written approval of the Local Planning Authority.

Reason: To ensure that any contamination of the site is adequately dealt with and to accord with policy IN2 of the LAPP.



4. Prior to the commencement of development a detailed Noise and Dust Management Plan shall be submitted to and be approved in writing by the Local Planning Authority.

The Noise and Dust Management Plan shall identify the types and locations of works which are likely to cause noise and dust disturbance to sensitive receptors and:

- Minimise noise and dust arising from such works by technical and physical means, and through work scheduling & management best practice
- Identify (and make stakeholders aware of) the person responsible for recording, investigating & dealing with complaints from residents
- Set out a communication strategy to keep regulators, resident and other stakeholders advised well in advance of specific works which are likely to cause noise and dust disturbance
- Ensure that as much of the disruptive / noisy / dust generating work as possible is carried out during the normal construction operating hours
- Regularly review the Noise and Dust Management Plan. Any amendments which may have an impact on noise or dust sensitive receptors shall be agreed in advance with the regulator and communicated to all other stakeholders

Reason: To ensure that amenity of the neighbouring residents are not adversely affected by noise and dust to accord with policy DE1 and IN2 of the LAPP.

5. Prior to the commencement of the development, an environmental noise assessment and final sound insulation scheme shall be submitted to and be approved in writing by the Local Planning Authority.

Having regard for the indicative calculation and glazing scheme within the acoustic consultancy report by ADT dated April 2021, referenced ADT 3127/ENIA. The ultimate acoustic requirements should be based on baseline measured data to include the LAFmax from impacts of any transportation noise, noise from people on the street and be carried out whilst any premises and/or activities in the vicinity that are likely to have an adverse effect on noise levels are operating. In addition it shall include predicted noise levels for any plant and equipment which will form part of the development, octave band analysis and all assumptions made (e.g. glazing and façade areas).

The sound insulation scheme shall include the specification and acoustic data sheets for glazed areas of the development and any complementary acoustic ventilation scheme and be designed to achieve the following internal noise levels:

- i. Not exceeding 30dB LAeq(1 hour) and not exceeding NR 25 in bedrooms for any hour between 23.00 and 07.00,
- ii. Not exceeding 35dB LAeq(1 hour) and not exceeding NR 30 for bedrooms and living rooms for any hour between 07.00 and 23.00,
- iii. Not normally more than 45dB L_{Amax}(1 min) in bedrooms (measured with F time weighting) between the hours of 23.00 and 07.00,
- iv. Not more than 50dB LAeq(1 hour) for garden areas (including garden areas associated with residential homes or similar properties).

The sound insulation scheme shall be carried out in accordance with the approved details unless varied with the express written approval of the Local Planning Authority.

Reason: To ensure that future occupants of the building are not adversely affected by noise to accord with policy DE1 and IN2 of the LAPP.

6. Prior to the commencement of any above ground development, following detailed design elements shall be submitted to and approved in writing by the Local Planning Authority:
- a) Elevations: the glazing system/window frames, ventilation louvers (if any), reveals, brick detailing ;
 - b) a large scale sample panel of all proposed materials to be used on the external elevations of the approved development shall be constructed on site and reviewed and agreed in writing by the Local Planning Authority. Confirmation of all the proposed external materials shall also be submitted to and approved in writing by the Local Planning Authority before above ground development commences and the development shall thereafter be implemented in accordance with the approved materials.

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

Reason: In order to ensure an appropriate quality of finish to the approved development and in accordance with policy 10 of the ACS and policy DE1 of the LAPP.

7. No development involving the breaking of ground shall take place unless a programme of archaeological investigation and works has first been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological investigation and works shall include:
- a) an archaeological evaluation of the site;
 - b) arrangements, supported by the conclusions of an archaeological evaluation, for the excavation of the affected areas, and the implementation of a watching brief during the course of the development;
 - c) arrangements for the recording of any finds made during the investigation and for the preparation of a final report;
 - d) arrangements for the deposition of the records of finds, and any significant finds, capable of removal from the site, in a registered museum; and
 - e) arrangements for the publication of a summary of the final report in an appropriate journal.

The archaeological investigation and works approved under this condition shall be carried out in accordance with the approved programme.

Reason: To investigate the presence or absence of caves within the site and to ensure that any archaeological remains of significance are safeguarded in accordance with policy 11 of the ACS and policy HE2 of the LAPP.

8. Notwithstanding the submitted application documentation, prior to the commencement of above ground development, details of the sustainability measures to be incorporated into the development shall be 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 that the development incorporates sustainable design features to accord with policy 1 of the ACS and policy CC1 of the LAPP.

Pre-occupation conditions

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

9. Prior to first occupation of the development, verification that the approved scheme based on the Air quality Assessment by GEM Air Quality Ltd, referenced AQ1914 dated April 2021 and the Ventilation Statement by CouchPerryWilkes referenced 201233 dated 15/04/21 has been implemented and is fully operational and any scheme of maintenance required shall be submitted to and be approved in writing by the Local Planning Authority.

Reason: To ensure that the scheme approved to improve the air quality within the local area has been implemented to accord with policy 10 of the ACS and policies DE1 and IN2 of the LAPP.

10. Prior to first occupation of the development, the following shall be submitted to and be approved in writing by the Local Planning Authority:
- a) A Verification Report, which shall include the data referred to in the Verification Plan, to demonstrate that the approved Remediation Strategy to deal with ground gas contamination of the site has been fully implemented and completed.
 - b) A Verification Report, which shall include the data referred to in the Verification Plan, to demonstrate that the approved Remediation Strategy to deal with ground and groundwater contamination of the site has been fully implemented and completed.

Reason: To ensure that any contamination of the site is adequately dealt with and to accord with policy IN2 of the LAPP.

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

Reason: To ensure that the sound insulation scheme approved to safeguard residential amenity and to deal with noise associated with the operation of the building has been implemented to accord with policy 10 of the ACS and policies DE1 and IN2 of the LAPP.

12. Prior first occupation of the development, a landscaping scheme (both hard and soft landscaping, including surfacing and means of enclosure), shall be submitted to and approved in writing by the Local Planning Authority. Plants and trees shall be native species selected for their biodiversity value and shall include a focus on bee friendly planting. The landscaping scheme shall also include proposals for the on-going management and maintenance of the external areas of the site, in particular the living walls.

The landscaping scheme shall be provided in accordance with the approved details within the first planting season following the completion of the development. Any trees or plants provided as part of the approved landscaping scheme which die or are removed or become seriously damaged or diseased within five years of being planted shall be replaced in the next planting season with other plants of a similar size and species, unless otherwise prior agreed in writing by the Local Planning Authority. Management and maintenance of the landscaping shall at all times be in accordance with the approved details.

Reason: To secure a development of satisfactory appearance that accords with policies 10 and 17 of the ACS and policies DE1 and EN6 of the LAPP.

13. No part of the development hereby permitted shall be brought into use until provision has been made within the application site for the cycle parking for minimum of 80 spaces in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. Cycle parking provision shall be covered and secure and that area shall not thereafter be used for any purpose other than the parking of cycles.

Reason: To secure appropriate provision of cycle parking in order to encourage an alternative mode of transport and to accord with policy 14 of the ACS and TR1 of the LAPP.

14. The development shall not be brought into use until the submission of a verification report that the enhancement measures set out in the Biodiversity Enhancement Report July 2021 has been implemented and is fully operational.

Reason: In the interests of conserving protected species and the ecology of the development in accordance with Policy 17 of the Aligned Core Strategy and Policy EN6 of the LAPP.

15. No part of the development hereby permitted shall be brought into use until such time that a traffic management scheme for the loading and unloading of vehicles collecting and delivering the belongings of occupants of the proposed student accommodation at the start and finish of each academic term, has been submitted to the Local Planning Authority for approval. The traffic management scheme shall be exercised in accordance with the approved details unless varied by the prior written consent of the Local Planning Authority.

Reason: To avoid the prejudice to traffic conditions in the vicinity of the development site and in the interests of highway safety in accordance with policy TR2 of the LAPP.

Regulatory/ongoing conditions

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

Standard condition- scope of permission

S1. Except as may be modified by the conditions listed above, the development shall be carried out in complete accordance with the details described in the following drawings/documents:
Drawing reference 2220 revision P4, received 24 August 2021
Drawing reference 2221 revision P4, received 24 August 2021
Drawing reference 2222 revision P4, received 24 August 2021
Drawing reference 2223 revision P5, received 24 August 2021
Drawing reference 2224 revision P4, received 24 August 2021
Drawing reference 2225 revision P4, received 24 August 2021
Drawing reference 2226 revision P4, received 24 August 2021
Drawing reference 1210 revision P2, received 24 August 2021
Drawing reference 2227 revision P3, received 24 August 2021

Reason: To determine the scope of this permission.

Informatives

1. Any access gates to the service access should be set back a minimum of 5 metres from the back of the highway boundary and shall open inwards to accommodate the largest length of vehicle accessing the car park.

2. The Highway 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 a construction management plan and/or highway licences may be required. Please contact them on 0115

8765293 or email Highway.Management@nottinghamcity.gov.uk. 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 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 Highway 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 in the highway before it is complete. All associated costs will be borne by the developer.

4. TRO's - It may be necessary to amend and/or introduce temporary and permanent tro's to surrounding streets. This is a separate legal process and the Order(s) can be made on behalf of the developer by Nottingham City Council at the applicant's expense. It is strongly recommended that the applicant make contact at the earliest opportunity to discuss this and allow time for the process to be completed.

Review of directional Signage - The applicant must contact TM to discuss directional signage for the proposed service access, in the interests of highway safety.

Please contact Highway Network Management on 0115 876 5293 initially to instigate the process. For TRO advice and further information, the applicant is advised to contact Traffic Management on 0115 8765245 or via email at Traffic.Management@nottinghamcity.gov.uk. All associated costs shall be borne by the applicant.

STREET NAMING AND NUMBERING

Nottingham City Council has a statutory responsibility for agreeing and registering addresses. If the development will create one or more new addresses or streets (for example a new build or conversion) please contact address.management@nottinghamcity.gov.uk as soon as possible, quoting your planning application reference. Any addresses assigned outside of this process will not be officially recognised and may result in difficulties with service delivery.