

Report of Director of Planning and Regeneration

Site Of Forest Mill, Alfreton Road

1 Summary

Application No: 22/00045/PFUL3 for planning permission

Application by: Mr Antony Aspbury on behalf of Mr Harry Treanor

Proposal: Application for full planning permission for: residential development, comprising 344 purpose built student accommodation apartments (790 bedspaces) (sui generis), together with ancillary leisure and retail facilities (UCO Class E), and 19 houses (UCO Class C3)

The application is brought to Committee because it is a major application on a prominent site that has important land use, design and heritage considerations.

An extension of time has been agreed to until 22nd July 2022.

2 Recommendations

2.1 GRANT PLANNING PERMISSION subject to:

Prior completion of a planning obligation which shall include:

- (i) a financial contribution of £987,890 towards off-site public open space and public realm improvements in the vicinity of the site;
- (ii) a financial contribution of £128,772 towards education;
- (iii) on-site provision of affordable housing, as well as a financial contribution of £745,824 towards off-site affordable housing;
- (iv) provision of local employment and training including a financial contribution of £133,480 towards its delivery; and
- (v) provision of a student management plan, including a restriction on car ownership.

2.2 Power to determine the final details of the planning obligation and conditions of planning permission to be delegated to the Director of 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 is (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 Background

- 3.1 The site is bounded by Alfreton Road, Highurst Street, Denman Street East and Boden Street. Thackeray Street runs through the site and links Boden Street to Denman Street East. The site is adjacent to commercial properties on Alfreton Road, houses on Boden and Highurst Street and industrial units on Denman Street East. The site covers an area of approximately 1.22ha.
- 3.2 The eastern part of the site is bounded by the Alfreton Road/Gamble Street Conservation Area.
- 3.3 There are level changes across the site; the Alfreton Road frontage sits at a higher level and slopes down gradually towards Denman Street East, though there are significant site level changes to the Denman Street East and Highurst Street corner.
- 3.4 The site is currently vacant and is enclosed by security fencing.
- 3.5 Planning permission was previously granted under planning reference 16/02524/POUT for a hybrid planning application that sought full permission for an 8 storey building comprising 81 residential units and 7 commercial premises, and outline permission for up to 229 residential units.

4 Details of the proposal

- 4.1 This application seeks approval for 344 purpose built student accommodation apartments that would provide 790 bedspaces, together with ancillary leisure and retail facilities. The scheme also includes provision of 19 family houses. The layout and design of the houses is still being finalised, the details of which will be provided as part of the Committee presentation. The proposed family housing is to be provided for a housing association and would be entirely affordable units.
- 4.2 A commercial unit and student amenity space, including a large gym, provide an active ground floor frontage along the Alfreton Road elevation, wrapping around the corners onto both Boden Street and Highurst Street. Access to the reception area and the commercial unit would be off Alfreton Road.
- 4.3 The student element of the scheme is spread over three buildings that front onto Alfreton Road, Highurst Street and Thackeray Street. Between the buildings are proposed areas of private open space. The area to the rear of the Alfreton Road Building forms a street and a small square. This street provides servicing access to the commercial unit and the student accommodation, including bin storage. The street also gives direct front door access to a number of student clusters that are configured vertically, like a house. Gates are proposed to the Boden and Highurst Street entrances to provide a secure access into this private external space for the student accommodation. This also includes a landscaped square separating the buildings that front onto Highurst Street and Thackeray Street, with a further gated entrance from Denman Street East. Additionally, two small landscaped areas are proposed on the frontage to Thackeray Street. Direct front door access to the student accommodation is also provided off Highurst Street, Denman Street East and Thackeray Street, as well as from the private external space.
- 4.4 The tallest element of the scheme fronts onto Alfreton Road where the built form is ground plus 7 storeys; this maintains the scale and relationship with Alfreton Road

that was established by the former office building that once occupied the site. The massing then steps down along Alfreton Road to the former Lloyds bank building on the corner of Boden Street. The height of the development steps down to five and four storeys following the typography of the site. Generally upper floors are set back to further reduce mass. The family housing proposed to the corner of Denman Street East and Boden Street will be three storeys in height.

- 4.5 Red brick is proposed as the predominant material with zinc cladding used on some vertical elements and the projecting upper floors. The brick is used to create a grid like frame with recessed entrances and windows set within large apertures. In some places the ground floor levels incorporate deep, cut back facades that will act as canopies to the units with their own front doors.
- 4.6 Three types of student accommodation are proposed; town houses, cluster apartments and studios. 18 town houses are proposed, 2 x 9 bed, 4 x 10 bed and 12 x12 bed. These town houses have a large communal living area with kitchen, dining and living room. Each bedroom has an en-suite and study space, and are approximately 13.5 sqm. 44 cluster apartments are proposed which have between 5 and 12 bedrooms. These cluster apartments have communal living, dining and kitchen space, and the individual bedrooms are similar to the town houses in terms of size and facilities. There are 282 studios which would each have kitchen facilities and an en-suite. The studios are 18 sqm.
- 4.7 A fabric first approach has been taken to building design and the Energy Statement provided indicates that the buildings will achieve a 50% improvement on current Building Regulations in terms of air tightness, and a 22% reduction in terms of overall carbon emissions by using solar panels, air source heat pumps, a waste water heat recovery system and a mechanical heat ventilation recovery system. The development will also achieve current Building Regulation standards regarding water usage; 125 litres per person per day. Additionally, green roofs are proposed.

5 Consultations and observations of other officers

Adjoining occupiers consulted:

83 neighbouring properties were notified of the proposed development by letter. This notification included properties on the following neighbouring streets:

Holden Street, Kyme Street, Alfreton Road, Boden Street, Highurst Street, Clifford Street, Old Mill Close and Ronald Street.

The application was also publicised through a site and a press notice.

Only one letter of objection has been received as a result of this publicity. This raises concerns over the lack of car parking in the area and the provision of student accommodation, although the redevelopment of the site is welcomed.

Additional consultation letters sent to:

Environmental Health and Safer Places: No objections subject to conditions relating to remediation, noise assessment and odour control.

Lead Local Flood Authority: No objections subject to conditions requiring the development to be completed in accordance with the Flood Risk Assessment and

to ensure that surface water is managed appropriately during the construction phase.

Biodiversity Officer: No objections. They noted that whilst the scheme wouldn't achieve 10% net gain, the submitted proposals indicate that this could be an exemplar scheme with regards to biodiversity. Conditions are requested to secure implementation of the biodiversity scheme, details of the green roof planting, the location of bat and bird boxes, hedgehog friendly enclosures and the ongoing management and monitoring of habitats.

City Archaeologist: No objections.

Highways: No objections, but advise that Thackeray Street should remain as adopted highway to allow continued public access. Conditions relating to the following have also been requested; construction traffic, accesses and gates, reinstating footpaths, provision of electrical vehicular charging points, traffic management for student pick up and drop off, delivery management plan, and submission of a travel plan.

Nottingham Local Access Forum: No objections but does request that Thackeray Street remains open to allow the general public to walk and cycle through the site.

Environment Agency: No comments received.

Health & Safety Executive: No comments received.

Fire Authority: No comments received.

Carbon Neutral Team: Although the scheme will exceed current building regulation targets in regard to air tightness, the scheme is only in line with current Building Regulations in regard to energy, carbon and water reduction.

6 Relevant policies and guidance

National Planning Policy Framework

The NPPF advises that there is a presumption on favour of sustainable development and that applications for sustainable 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 processes should achieved, and that good design is a key aspect of sustainable development.

Paragraph 130 of the NPPF sets out key principles that all developments should achieve:

- 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.

Also of relevance to this application is the conserving and enhancing the historic Environment section 16 of the NPPF. Paragraphs 195 to 197 require consideration to be given to the significance of the heritage asset affected by a proposal and should take account of the desirability of sustaining assets, the positive contribution they make and also the contribution that new development can make to local character and distinctiveness. Great weight should be given to the asset's conservation. Paragraphs 201 to 204 require consideration to be given to the level of harm that development proposals cause to heritage assets, any harm is required to be outweighed by public benefit, which would need to be more than commensurate to the harm caused.

Aligned Core Strategy (ACS) (Local Plan Part 1 Document)

Policy A: Presumption in Favour of Sustainable Development.

Policy 1: Climate Change.

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 Local Planning Policies (LAPP) (Local Plan Part 2 Document)

Policy CC1: Sustainable Design and Construction

Policy CC3: Water

Policy EE4: Local Employment and Training Opportunities

Policy HO1: Housing Mix

Policy HO3: Affordable Housing

Policy HO5: Locations for Purpose Built Student Accommodation

Policy HO6: Houses in Multiple Occupation and Purpose Built Student Accommodations

Policy DE1: Building Design and Use

Policy DE2: Context and Place making

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

Policy TR1: Parking and Travel Planning

Policy EN2: Open Space in New Development

Policy EN6: Biodiversity

Policy EN7: Trees

Policy IN2: Land Contamination, Instability and Substances

7. Appraisal of proposed development

Main Issues

- (i) Principle of development**
- (ii) Density, layout and design considerations**
- (iii) Impact on the Alfreton Road/Gamble Street Conservation Area**
- (iv) Impact on residential amenity**
- (v) Highway considerations**
- (vi) Trees, Biodiversity, Water and Contamination**
- (vii) Planning Obligations**

Issue (i) Principle of development (Policies A and 8 of the ACS, Policies SR34, HO1, HO5 and HO6 of the LAPP)

- 7.1 Site allocation policy SR34 allocates the Forest Mill site for retail, food and drink (as part of a mixed use scheme), residential and for student accommodation. The proposed development comprises student accommodation, family housing and a retail unit. The proposed scheme therefore accords with Policy SR34.
- 7.2 The element of family housing would additionally accord with Policies 8 and HO1 which seek to encourage the provision of such housing within the Nottingham City Area. The family housing will be affordable and thereby also support the aims and objectives of Policy HO1.
- 7.3 Policy HO5 encourages provision of Purpose Built Student Accommodation (PBSA) on sites that have been allocated for such purposes, as is the case in this instance. It is also well located in sustainability terms being situated on both a main arterial route with multiple bus services and within the Alfreton Road Local Centre. Resulting in the redevelopment of a longstanding brownfield site that has been a blight on the local area for many years, the proposal meets one of the aspirations of policy HO6. This policy also requires regard to be had to the need for such accommodation.
- 7.4 Information submitted with the application indicates that using the Higher Education Statistics Agency (HESA) data for the year 2019/2020, there are 63,905 students within Nottingham. It also notes, that the existing provision of PBSA can only accommodate 28,938 bed spaces. When accounting for the consented and pending PBSA applications within the City, this only increases the number of bed spaces by 5,896. This results in a 51% provision, a significant shortfall even when considering those who live at home during university study. These figures tally with the monitoring carried out by the Planning Policy team and are felt to be sufficient to demonstrate a need for the accommodation.
- 7.5 The provision of a commercial/retail unit is a welcomed addition to this significant Local Shopping Centre. The proposed family housing element would be compatible with the residential properties on Boden Street and Highurst Street.
- 7.6 The proposal therefore accords with Policies A and 8 of the ACS and Policies SR34, HO1, HO5 and HO6 of the LAPP.

Issue (ii) Density, layout and design considerations (Policy 10 of the ACS and Policies DE1 and DE2 of the LAPP)

- 7.7 The NPPF recognises the importance of design in making better places. It states that decisions should not attempt to impose architectural styles and that great weight should be given to schemes that raise the standard of design in an area.
- 7.8 Alfreton Road is lined on both sides by high density development dating predominantly to the late 19th and early 20th centuries. The area is also characterised by some larger buildings that have deep rectangular forms and indeed, until 2012 the site itself was occupied by larger buildings that had been extended over time to cover most of the site. It is therefore felt that the density of the proposed development is in itself acceptable. The development will also create attractive internal squares and streets providing adequate separation distances in terms of privacy and the ingress of natural light.
- 7.9 The proposed buildings have been laid out to respect existing routes and to anticipate future desire lines through the site. The three buildings and family housing have been configured to address both the surrounding streets and proposed shared spaces within the development.
- 7.10 An active frontage has been provided to Alfterton Road with the shop front of the Commercial/retail unit and the arrangement of communal student areas, which would be extended around the corners onto both Boden Street and Highurst Street. The shared space to the rear of the Alfreton Road is also activated as result of the way that the communal student areas have been configured.
- 7.11 A large proportion of the ground floor units to the student accommodation have front doors onto the adjoining streets and new shared spaces, which would ensure that the whole of site and its perimeter would be appropriately activated. The shared spaces would also allow permeability through the site for the students, reinforcing the sense of natural surveillance and creating a safe environment. The retention of Thackeray Street as part of the adopted highway will further assist permeability and promote natural surveillance.
- 7.12 The indicative landscape plans show that the square and other shared spaces are capable of being landscaped in a manner that would create attractive and functional areas of public realm. Although largely hard landscaping, soft landscaping is included that would assist in enhancing the ecological value of the site. Details of hard surfacing and landscaping would be dealt with by condition.
- 7.13 The scheme has been designed so that buildings respond to the varying scale of the existing area. The development steps down from the highest part of the site (the corner of Alfreton Road and Highurst Street) where the eight storey element is intended as the focal point of the development. Although this element would become the tallest structure in the area, it is felt to be appropriate for the site. This was the location of a previous tall structure on the site that demonstrated the merits of a tall element at this point, particularly in views westward along Alfreton Road, when approaching from Canning Circus. It would landmark the site and retain a sense of the larger scale buildings that existed on the site historically.
- 7.14 The other buildings within the development range from 3 to 6 storeys. Whilst these would be higher than the industrial buildings to the south and the residential

properties to the east and west, their proposed scale would be representative of the buildings that formerly occupied the site and sympathetic to the character of Alfreton Road and the Gamble Street area opposite, which lies within the same conservation area.

- 7.15 The Alfreton Road building has been designed to reflect the established streetscape of the area, having a strong brick frame with entrances and windows set within strongly defined apertures. The ground floor uses of the Alfreton Road building would have full height glazing, separated by brick piers. The other buildings on the site, including the family housing, would have a similar appearance, ensuring that a consistent architectural theme is used throughout the development. The treatment of elevations and choice of materials are of a quality that would be a welcomed addition to the site and its surroundings. The final details of the materials would be dealt with by condition.
- 7.16 In conclusion, this is felt to be a well-considered scheme in urban design and architectural terms that complies with the aims of Policy 10 of the ACS and Policies DE1 and DE2 of the LAPP.

Issue (iii) Conservation Area (Policy 11 of the ACS and HE1 of the LAPP)

- 7.17 The design of the scheme is considered to respond well to the Alfreton Road /Gamble Street Conservation Area, that covers the northern part of the site. As indicated above, Alfreton Road is characterised by a high density pattern of largely two and three storey commercial buildings with residential accommodation on the upper floors. There are larger mill buildings to the north on Russell Street, Gamble Street and Raleigh Street. These have a repetitive and symmetrical rhythm of large windows across their facades, which are replicated within the Alfreton Road building and the other buildings on the site. The proposal also respects the historic pattern of streets which assists in maintaining the character and appearance of the Conservation Area. Overall the proposal is very sympathetic to the character, appearance and setting of the Conservation Area and reflects its urban grain, massing, scale and materials. It is considered to be of a high standard of design appropriate to the historic context and would result in the very substantial public benefit of bringing a longstanding and prominent vacant site back into use. As such, it is considered that the scheme would enhance the Alfreton Road/Gamble Street Conservation Area. The development therefore complies with the criteria of Policy 11 of the ACS and Policy HE1 of the LAPP.

Issue (iv) Residential Amenity (Policy 10 of the ACS and Policy DE1 of the LAPP)

- 7.18 At largely 3 to 5 storeys, the proposed buildings to the rear of the Alfreton Road block are felt to be of an appropriate scale in relation to the existing residential properties opposite. Overall, the proposed buildings would be sited at sufficient distance to prevent any significant detrimental impact on neighbouring properties with regards loss of privacy, daylight, sunlight or immediate outlook.
- 7.19 The student accommodation is felt to be of an appropriate size and with the communal facilities provided within the Alfreton Road building, residents would be provided with a suitable level of residential amenity. The family housing would meet National Space Standards.
- 7.20 The buildings' configuration in terms of their height and siting in relation to one

another would be such that internally, within the development there would be no detrimental impact on future occupants in terms of loss of daylight, sunlight or outlook. The size and orientation of the shared spaces would also provide a pleasant environment for future occupants that would further enhance the quality of the scheme.

- 7.21 To prevent noise, disturbance and odours from the commercial unit on the ground floor of the Alfreton Road building, details of appropriate noise mitigation measures and a ventilation scheme can be secured through condition.
- 7.22 The proposal's impact upon the amenities of existing and future occupants therefore, accords with Policy 10 of the ACS and Policy DE1 of the LAPP.

Issue (v) Highway considerations (Policies 10 and 14 of the ACS and Policy TR1 of the LAPP)

- 7.23 This site is located on Alfreton Road, a high frequency bus route in and out of the City Centre. It is also within walking distance of the City Centre and close to local shopping and community facilities. Conditions can secure details for managing the pick-up and drop-off of students at the beginning/end of each term and through the use of a planning obligation, student car ownership can be controlled. Not providing car parking for students at this location is considered to be acceptable. Adequate bicycle storage facilities are proposed as part of the development. A construction traffic management plan to cover the phases of the development can be secured by condition, together with the submission of a travel plan for the PBSA.
- 7.24 There is a residents' car parking scheme in operation around the site and Highways colleagues have indicated that residents of the proposed housing development may not be eligible for parking permits due to this being oversubscribed. Highway colleagues have also indicated that existing Traffic Regulation Orders in the area would need to be reviewed.
- 7.25 Through the use of conditions, it is considered that the proposal complies with policies 10 and 14 of the ACS and Policy TR1 of the LAPP.

Issue (vi) Trees, Water and Contamination (Policy EN7, CC3 and IN2 of the ACS)

- 7.26 Existing trees on the site would be lost as result of the proposal. Whilst those on Boden Street do have some amenity value, they are limited in number and it is considered that the overall benefits the scheme would bring in terms of regenerating a prominent and long standing vacant site, with the opportunity to plant new trees within the development, would offset this loss. New trees can be secured through landscaping conditions and as such the proposal accords with Policy EN7 of the LAPP.
- 7.27 Conditions can be used to ensure that the scheme is built in accordance with the submitted Flood Risk Assessment and that surface water drainage is considered during the construction phase. Through the use of such conditions the proposal complies with Policy CC3 of the LAPP.
- 7.28 A remediation strategy to deal with ground contamination and noise assessment/sound insulation scheme can be secured by condition, and as such the scheme accords with Policy IN2 of the ACS.

Issue (vii) Planning obligations (Policy 19 of the ACS and Policies EE4, HO3, EN2 and IN4 of the LAPP)

7.29 For this development the policy compliant planning obligations are:

- Public Open Space/Public Realm - off-site financial contribution, for the housing and PSBA, of £987,890
- Education - a contribution of £128,772, for the housing
- Local employment and training - delivery thereof, including a financial contribution of £133,480 to help secure this
- Affordable housing – on-site provision of 19 affordable houses (10 shared-ownership and 9 affordable rent) and an off-site financial contribution of £745,824

7.30 The total financial contributions are £1,995,966. The shared ownership and affordable rent split would comply with that required by Policy HO3 of the LAPP. The proposal therefore complies with Policy 19 of the ACS and Policies EE4, HO3, EN2 and IN4 of the LAPP.

8. Sustainability / Biodiversity

8.1 As indicated in section 4, the development is to incorporate a number of sustainable design features as well as the use of renewable/low carbon technologies that would support the move to a low carbon future, in accord with Policy CC1 of the LAPP. A condition can be used to secure the provision of the measures proposed.

8.2 The Biodiversity Officer has advised that if the details submitted as part of the biodiversity and landscaping scheme can be secured by condition, this would be an exemplar development. With the necessary conditions included, the proposal therefore complies with Policy 17 of the ACS and Policy EN6 of the LAPP.

9 Financial Implications

The financial and other developer contributions to be secured via planning obligation are set out in the main body of the report.

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

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.

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

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

14 Crime and Disorder Act implications

None.

15 Value for money

None.

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

1. Application No: 22/00045/PFUL3 - link to online case file:

<http://publicaccess.nottinghamcity.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R5DQ5FLYN4K00>

17 Published documents referred to in compiling this report

Nottingham Local Plan (November 2005)

Contact Officer:

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0 0.03 0.05 km

Key

 City Boundary

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Description

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Nottingham
City Council

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Date of decision:

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

Application No: 22/00045/PFUL3 (PP-10513096)
Application by: Mr Harry Treanor
Location: Site Of Forest Mill, Alfreton Road, Nottingham
Proposal: Application for full planning permission for: residential development, comprising 344 purpose built student accommodation apartments (790 bedspaces) (sui generis), together with ancillary leisure and retail facilities (UCO Class E), and 19 houses (UCO Class C3)

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)

DRAFT ONLY
Not for issue

2. Prior to the commencement of the development, a Remediation Strategy 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 the 'Preliminary Ground Appraisal (Desk study)' by Apex Rev 002 dated 22/12/21 (doc. No. 1064-ACE-GEO-PGA-001), and a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - b) A Remediation Plan, based on a) 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).
 - c) A Verification Method Plan providing details of the data that will be collected in order to demonstrate that the works set out in b) have been implemented.

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 safeguard the health and residential amenity of the occupants of the proposed development to comply with Policy IN2 of LAPP.

3. Prior to the commencement of development, a Construction Method Statement for that phase shall be submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period for each phase of development and shall provide for:
- a) The parking of vehicles of site operatives and visitors.
 - b) Loading and unloading of plant and materials.
 - c) Storage of plant and materials used in constructing the development.
 - d) Wheel washing facilities.
 - e) Measures to control the emission of dust and dirt during construction
 - f) measures for the management of surface water during construction.

Reason: In the interests of highway safety to accord with Policy TR1 of the LAPP and to prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase. To accord with Policy CC3 of the LAPP.

4. Prior to the commencement of development, details of the proposed vehicular access to the street to the rear of the building fronting Alfreton Road shall be submitted to and approved in writing by the Local Planning Authority. The information to be submitted shall include details of vehicular tracking, visibility splays, sight lines and parking spaces (which for cars shall be 2.4m x 5.5m with an additional 0.5m to a hard boundary).
The development shall be implemented in accordance with the approved details.

Reason: In the interests of highway safety in accordance with Policy TR1 of the LAPP.

DRAFT ONLY
Not for issue

5. Prior to the commencement of development, details of existing and proposed site levels, final heights of buildings and finished floor levels shall be submitted to and approved in writing by the Local Planning Authority. The information submitted shall include before and after development site plans showing spot levels and site cross sections, and shall include consideration of the impact on surface water drainage after development has taken place. The development shall be completed in accordance with the approved site levels, finished floor levels and building heights.

Reason: To ensure the satisfactory appearance of the development and to ensure that there is no adverse impact on surface water drainage in order to accord with Policy 10 of the ACS and Policies DE1, DE2 and CC3 of the LAPP.

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

The environmental noise assessment shall include the impact 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 relevant premises which may not currently be operating, and plant and equipment which will form part of the development, octave band analysis and all assumptions made (e.g. glazing and façade areas, commercial / residential separation). The environmental noise assessment shall also build on the work already undertaken in the 'Acoustic Planning Report for a new mixed use residential scheme at 113-145 Alfreton Road' by Sharps Redmore dated 15th Dec 2021 (project no 2120761).

The sound insulation and ventilation 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 and ventilation 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 safeguard the health and residential amenity of the occupants of the proposed development to comply with Policy 10 of the ACS and Policies DE1 and IN2 of LAPP.

7. Prior to the commencement of development, details of the sustainability measures to be incorporated within the development to reduce carbon emissions 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 CC1 of the LAPP.

DRAFT ONLY
Not for issue

8. Prior to the commencement of development, details of the surface water drainage works shall be submitted to and approved in writing by the Local Planning Authority.

Before these details are submitted, an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system and the results of the assessment provided to the Local Planning Authority.

Where a sustainable drainage scheme is to be provided the submitted details shall:

- i) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface sewers, including information on exceedance routes;
- ii) Include a timetable for its implementation; and
- iii) Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure operation of the scheme throughout its lifetime. Prior to the occupation of the buildings hereby approved the surface water drainage works shall be carried out and the sustainable drainage system shall thereafter be managed and maintained in accordance with the agreed management and maintenance plan.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site. To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development. To accord with Policy CC3 of the LAPP.

9. Prior to the commencement of development on the C3 dwellings, scaled plans the following information shall be submitted to and approved in writing by the Local Planning Authority for each garage space to be provided off Boden Street, Denman Street East and Thackeray Street:

- (i) provision of 2m x 2m pedestrian splays;
- (ii) driveway depths to garages, and;
- (iii) car tracking plans to show cars can safely enter and leave each garage.

Thereafter these garages shall be provided in accordance with the approved details prior to the C3 dwellings being first occupied.

Reason: To ensure that the provision of the garages would not affect pedestrian safety and that cars can safely enter and leave the garage spaces without prejudicing highway safety in accordance with Policy TR1 of the LAPP.

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Not for issue

10. No above ground development shall be commenced until design details of the following, including drawings and sections at a scale of not less than 1:10 have been submitted to and approved in writing by the Local Planning Authority;

- (i) Windows and doors, including their reveal depths
- (ii) Balcony and terrace surfacing and enclosures
- (iii) Rainwater goods and soil pipes
- (iv) Extractor vents/meter boxes

Development shall thereafter be undertaken in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the design quality of the development and character of the area and to accord with Policy 10 of the ACS and Policy DE1 of the LAPP.

11. Prior to the commencement of above ground development, precise details of the materials (e.g. bricks, windows and rainwater goods etc) to be used externally within the development, following the construction of a sample panel on site, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be completed in accordance with the approved details.

Reason: To secure a development of satisfactory appearance that complies with Policy 10 of the ACS and Policy DE1 of the LAPP.

12. Prior to the commencement of any above ground development, details of the planting for the green roofs and infrastructure required to maintain them, shall be submitted to and be approved in writing by the Local Planning Authority. Thereafter the green roofs shall be provided prior to the development being first occupied and maintained thereafter in accordance with the approved details.

Reason: To ensure that the green roofs are provided and are of appropriate design to be retained, in order to comply with Policy CC1 and Policy DE1 of the LAPP.

13. Prior to the commencement of any above ground development, the developer shall provide written confirmation to the Local Planning Authority that they have commenced the required legal process for undertaking works to the public highway, including amendments to traffic calming measures and Traffic Regulation Orders.

Reason: In the interests of highway safety in accordance with Policy TR1 of the LAPP.

14. Prior to the installation of any frontages associated with the leisure and retail (class E) uses, precise details of their design shall be submitted to and approved in writing by the Local Planning Authority. The details to be provided shall include fascia, glazing and door designs. The frontages shall be provided in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory to comply with Policies 10 and 11 of the ACS and Policies DE1 and HE1 of the LAPP.

Pre-occupation conditions

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

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15. 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 Method 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 safeguard the health and residential amenity of the occupants of the proposed development to comply with Policy IN2 of LAPP.*

16. Prior to first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed in accordance with the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements such as, but not restricted to, (surface water attenuation devices/areas, flow restriction devices, outfalls).
- Reason: To ensure the Drainage system is constructed to the National Non-Statutory Technical Standards for SuDS, and to accord with Policy CC3 of the LAPP.*

17. Prior to first the occupation of the development, a verification report shall be submitted to confirm that the approved sound insulation and ventilation scheme has been implemented in accordance with the approved details.
- Reason: To safeguard the health and residential amenity of the occupants of the proposed development to comply with Policy IN2 of LAPP.*

18. Prior to first occupation of the development, a scheme of proposed works to the public highway surrounding the development, and to include Thackeray Street, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of surfacing renewal and upgrade, the re-location of any street furniture, amendments to any traffic calming measures and amendments to any Traffic Regulation Orders, along with a timetable for the implementation of the proposed works.
- Reason: In the interests of highway safety in accordance with Policy TR1 of the LAPP.*

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19. Prior to first occupation of the development, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the:
- (a) Location of existing utility routes proposed to be retained and the location of any new utility routes;
 - (b) Type, height, species and location of proposed trees and shrubs;
 - (c) Tree pits/trenches and aeration pipes;
 - (d) Boundary treatments and/or gates including height, materials to be used and colour finishes;
 - (e) Materials to be used within areas of hard surfacing;
 - (f) Location of steps to be provided externally including cross section drawings to show such features and details of hand rails and other materials to be used;
 - (g) Location of any seating or any other furniture to be provided including details of their appearance;
 - (h) Location of any external lighting scheme, together with details of luminance levels and the design of any proposed lighting columns; and
 - (i) Timetable for the implementation of the scheme.

The landscaping scheme to be submitted shall take into account the recommendations made in the Preliminary Ecological Appraisal and Biodiversity Impact Assessment dated January 2022.

The landscaping scheme shall be carried out in accordance with the approved details and timetable. Any trees or plants 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 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 to comply with Policy 10 of the ACS and Policy DE1 and DE2 of the LAPP.

20. Prior to first occupation of the development, a landscape management plan containing the proposals for the on-going management, maintenance responsibilities and habitat monitoring shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the landscaping and habitats shall be managed and maintained in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory to comply with Policy 10 of the ACS and Policy DE1 and DE2 of the LAPP.

21. Prior to first occupation of the development, any redundant footway crossings shall be replaced with full height kerbs and any footway crossings affected by the development shall be made good.

Reason: In the interests of highway safety in accordance with Policy TR1 of the LAPP.

22. Prior to first occupation of the C3 dwellings, the garage for each shall be fitted with roller shutter doors in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.,

Reason: To ensure that garages are fit for purpose to accord with Policies DE1 and TR1 of the LAPP.

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23. Prior to first occupation of the development, bin storage facilities and collection points for both the student accommodation and C3 dwellings shall be provided in accordance with details that have first been submitted to and been approved in writing by the Local Planning Authority. Thereafter the facilities shall be retained for the lifetime of the development.

Reason: To ensure that appropriate bin storage facilities and collection points are provided to accord with Policy DE1 of the LAPP.

24. Prior to first operation of any commercial use within the development where food and drink is prepared, cooked or served, a scheme for the ventilation and means of discharging and dispersing fumes and the prevention of nuisance caused by odour from the development shall be submitted to and be approved in writing by the Local Planning Authority.

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

The fume extraction/ventilation scheme shall be carried out in accordance with the approved details prior to first operation of the use which it serves, unless varied with the express written approval of the Local Planning Authority.

Reason: To safeguard the health and residential amenity of the occupants of the proposed development to comply with Policy IN2 of LAPP.

25. Prior to the first occupation of the student accommodation, cycle parking facilities shall be provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The information to be submitted shall include details of the location, design and lighting of the cycle parking facilities. Thereafter the cycling parking facilities shall be retained in accordance with the approved details for the lifetime of the development.

Reason: To promote more sustainable forms of travel in accordance with Policy 14 of the ACS and TR1 of the LAPP.

26. Prior to the first occupation of the student accommodation, any car parking provision proposed for this element of the development shall be provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The information to be submitted shall include details of disabled car parking provision and electrical vehicle charging points.

Reason: To promote more sustainable forms of travel in accordance with Policy 14 of the ACS and TR1 of the LAPP.

27. Prior to the first occupation of the student accommodation, 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 shall be submitted to and approved in writing by the Local Planning Authority. 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 ensure that the loading and unloading of vehicles associated with the student occupation at the start and finish of each academic term does not adversely affect highway safety to accord with Policy TR1 of the LAPP.

28. Prior to the first occupation of the C3 dwellings, electrical vehicle charging points shall be provided in accordance with details that have first been submitted to and approved in writing

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by the Local Planning Authority. One electric vehicle charging point shall be provided for each dwelling.

Reason: To promote more sustainable forms of travel in accordance with Policy 14 of the ACS and Policy TR1 of the LAPP.

Regulatory/ongoing conditions

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

29. Within six months from the student accommodation being first occupied, a travel plan for the site shall be submitted to and be approved in writing by the Local Planning Authority. Thereafter the development shall be operated in accordance with the approved travel plan.

Reason: To promote sustainable travel in accord with Policy 14 of the ACS and Policy TR1 of the LAPP.

30. The development shall be carried out in accordance with the submitted Flood Risk Assessment and finished floor levels shall be set at least 150mm higher than existing ground levels, and where practicable surrounding highways, unless otherwise first agreed in writing with the Local Planning Authority.

To ensure that the development is not placed at increased risk of surface water flooding to accord with Policy CC3 of the LAPP.

31. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways, therefore to accord with Policy CC3 it will need to be demonstrated that any proposed piling will not result in contamination of groundwater.

32. Notwithstanding the provisions of any Town and Country Planning General or Special Development Order for the time being in force relating to permitted development, the C3 dwellinghouses hereby approved shall not be further extended, enlarged or altered and their garages shall not be converted into habitable or other accommodation without the prior express permission of the Local Planning Authority.

Reason: To ensure that the development will continue to comply with Policy 10 of the ACS and Policies DE1, HE1 and TR1 of the LAPP, as further development of the C3 dwellinghouses could impact on the character and appearance of the properties and unduly affect the amenity of future occupants, whilst the loss of the integral garages could lead to the loss of car parking spaces and further exacerbate the need for on-street car parking.

33. Notwithstanding any details or notes in the application documents stating or implying otherwise, the dwelling(s) hereby permitted shall be designed and constructed to meet the optional water efficiency requirement of 110 Litres per person per day as specified by Part G of Schedule 1 and regulation 36 (2) (b) of the Building Regulations 2010 (as amended).

Reason: to ensure efficient use of water resources in the interests of sustainability, to comply with Policy CC1 of the LAPP.

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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 7 February 2022.

Reason: To determine the scope of this permission.

Informatives

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.

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RIGHTS OF APPEAL

Application No: 22/00045/PFUL3 (PP-10513096)

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

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

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

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

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

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

PURCHASE NOTICES

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

COMPENSATION

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

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,

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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.

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