

Wards Affected: Meadows (May 2019)

Item No:

**Planning Committee
23rd November 2022**

Report of Director of Planning and Regeneration

1 Walleth Street, Nottingham, NG2 3EL

1 Summary

Application No: 19/02552/PFUL3 for planning permission

Application by: Arkwright Property Co Ltd

Proposal: Demolition of Existing Buildings and Erection of Residential Accommodation

The application is brought to Committee because it is a major application on a prominent site where there are important design considerations. Additionally, for viability reasons, the application is being recommended for approval with proposed planning obligations which are substantially less than required by planning policy.

To meet the Council's Performance Targets this application should have been determined by 13.02.2020. The delay in reporting to Committee is due to the time taken by the applicant to carry out a viability assessment. An extension of time has been agreed with the applicant until 30th November 2022.

2 RECOMMENDATIONS

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

(i) prior completion of a Section 106 Planning Obligation to secure the following:

(a) A contribution of £73,000 towards Education

(ii) the indicative conditions substantially in the form of those listed in the draft decision notices at the end of this report;

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 site lies within a long established industrial area on the southern fringe of the city centre and immediately to the north of the Meadows residential area. Meadows Way which lies immediately to the south of the building forms the boundary between the city centre and the Meadows.
- 3.2 The site comprises a collection of industrial buildings and a large surface car park. The oldest building on the site dates from the early 1900's and is located on the corner of the two streets. This two-storey building is constructed of red brick which has been painted. To the west and south of this building are modern buildings dating from the 1960's / 70's. There are trees adjacent to the Meadows Way frontage and adjacent to Walleth Street.
- 3.3. The adjacent buildings on the south side of Crocus Street are modern industrial buildings of a similar scale to the application site. The immediate area has undergone significant redevelopment in the recent years which has completely transformed the appearance of the area. The land to the east of Walleth Street has been developed with the new Central Fire Station, and the land to the north of Crocus Street with an 8 storey block containing 350 apartments (Saffron Court). To the west of Summer Leys Lane, at the corner with Queens Road is an 8 storey block of student accommodation. Buildings within the Meadows to the south of Meadows Way are much smaller in scale. There is a single storey day care centre immediately to the south which is adjoined to the west by 2 and 3 storey housing.
- 3.4 The site falls within the Canal Quarter defined by the LAPP and within flood zone 2 defined by the Environment Agency Flood Map.

4 DETAILS OF THE PROPOSAL

- 4.1 The existing buildings on site are to be demolished and replaced with an apartment building. The proposed development would comprise a single building which steps down in height from 8 storeys on the frontage to Crocus Street to 4 storeys adjacent to Meadows Way. The building would occupy the whole site at ground floor level with the upper floors arranged around three sides of a landscaped courtyard.
- 4.2 The proposal is for 141 apartments, 72 x 1 bed and 69 x 2 bed.
- 4.3 Access to the site would be taken from Walleth Street. There would be 44 car parking spaces at the ground floor level along with bin and cycle storage facilities.

5 CONSULTATIONS AND OBSERVATIONS OF OTHER OFFICERS

Adjoining occupiers consulted:

358 Neighbouring properties were notified by letter, a site notice posted and press notice published. The overall expiry date was 14.12 2019.

No representation from neighbouring residents or businesses have been received. The Civic Society raise the following concerns:

The demolition of the Edwardian factory building fronting Crocus Street. A redevelopment for student accommodation could still take place but integrating the former industrial building into the new design, in a manner which has been approved nearby at No.66 London Road whereby the former Walter Danks' building fronting London Road is being integrated into the design of the new building and this is illustrated in the applicant's Design and Access Statement.

Retaining the two storied Edwardian factory building fronting Crocus Street would help to mediate the scale of the new development with the bulk of the 8 storey building to the north to create a more comfortable massing relationship in Crocus Street. As currently proposed, the environment of both buildings would be compromised. Buildings stepping down in height southwards away from the city centre towards the domestic scale of the Meadows would create a coherent definition to the edge of the city centre.

A less dense, more sustainable development would also help to improve the public realm, creating space for tree and shrub planting - sustainability measures useful to help address flood risk and enhance the appearance of the streetscene.

Additional consultation letters sent to:

Environmental Health and Safer Places: No objection subject to conditions regarding submission of a remediation strategy related to ground, groundwater and ground gas contamination, an environmental noise assesment and sound insulation scheme, energy statement and scheme for electric vehicle charging points.

Highways: No objection subject to conditions relating to a construction management scheme and cycle storage. They initially requested a contribution of £50,000 to provide a Toucan crossing on Queens Road.

Drainage: No objection.

City Archaeologist: No objection.

Education: Requested education contribution of £86,486 towards enhancing education facilities within the Meadows or in relation to the new Waterside school.

Biodiversity: No objection subject to condition related to biodiversity enhancement including details of bird and bat boxes. Further Bat Survey required.

Tree Officer: No objection subject to a condition regarding replacement planting.

Environment Agency: No objection subject to condition.

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.

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 Employment and Training Opportunities

Policy RE2: Canal Quarter

Policy HO1: Housing Mix

Policy HO3: Affordable Housing

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 (2020)

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

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 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, RE2, HO1 of the LAPP)

- 7.1 The proposals would result in the redevelopment of a site which was last in commercial / employment use. Policy EE3 of the LAPP seeks to ensure that there is a sufficient supply of alternative employment land and premises, but does allow the regeneration benefits of a particular scheme to be taken into consideration where an employment use would be lost. 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. The site area in this instance is 0.31 ha and accommodates dated industrial premises that will have limited attraction for continued industrial use. It should also be noted that the proposal would result in the delivery of 141 residential units which needs to be given appropriate weight in the planning balance, in that it would assist in boosting the supply of housing within the City. Moreover, it is recognised that new job opportunities would be created through both the construction and operation of the proposed scheme.
- 7.2 ACS Policy 7 'Regeneration' sets out strategic regeneration priorities for the City and states that the "Southside Regeneration Zone" will be developed as a mixed use business district, with a predominance of offices, supported by residential development, new hotels and complementary retail and leisure activity across a number of key sites. The site lies at the fringe of the City Centre in an area which has been identified as an area of change since 2003 when the Southside Regeneration Area guidance was produced. Although the sites south of Crocus Street have not been specifically allocated as development sites, the redevelopment of the land for residential purposes would be in accordance with the Council's aims and aspirations for the Southside Regeneration Zone. The proposed development would be a positive addition in regeneration terms.
- 7.3 The proposal also needs to be considered against policies 5 and 8 of the ACS and policies HO1 of the LAPP.
- 7.4 Policy 5 of the ACS supports City Centre living 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.
- 7.5 Policy HO1 of the LAPP states that on sites within the City Centre, the mix of housing should address the need to diversify the existing housing stock by including flats of two or more bedrooms. Innovative family housing will be sought as part of the overall housing mix on the City Centre fringes. Policy RE2 sets out the strategic aims of the Canal Quarter, which include new housing provision where this is compatible with, and does not prejudice, the activities of nearby uses.

- 7.6 The proposal would be compatible with the mixed use characteristics of the surrounding area and would be close to a choice of sustainable means of public transport; bus, tram and train. The size and quality of the apartments is welcomed, providing an appropriate mix of 1 and 2 bed units.
- 7.7 In light of the above, the principle of the proposed scheme is considered to be acceptable and would accord with policies A, 5, 7 and 8 of the ACS, policies EE3, RE2 and HO1 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)

- 7.8 The submitted scheme has been developed through extensive pre-application discussions in relation to its design, scale, mass and form.
- 7.9 The Civic Society suggest retaining the two storey Edwardian factory building fronting Crocus Street to help to mediate the scale. This is a small part of the overall site and its retention would significantly compromise the scale and form of a proposed new build scheme. Furthermore, the building itself is not considered to be a heritage asset, its limited value further diminished overtime by having its groundfloor rendered and its roof replaced with a metal clad alternative, associated with its former use. In general terms the buildings within the site are considered to be of little or no architectural value, particularly within a City Centre context. Redevelopment of the site offers the opportunity to improve the contribution the site makes to local character.
- 7.10 The site sits within the Southside Regeneration Zone and also the Zone of Reinvention as defined in the Nottingham City Centre Urban Design Guide, with Crocus Street seeing a number of similar residential schemes either constructed or with permission.
- 7.11 The scale and massing of the proposed building takes its reference from Saffron Court (Hicking Phase II) directly to the north, which is also eight storeys at its highest point. It then, through a number of tiers, reduces the mass down to ground plus three stories on the south side of the site, facing the Meadows. On Crocus Street and Walleth Street the building is set back by 1.8m with low brick wall enclosures to the back edge of pavement, in the same fashion as Saffron Court. This both assists with privacy to the ground floor units but also addresses the level change necessary to gain direct street access to the apartments at this level. The tiered form of the building facing Meadows Way allows south facing roof top terraces to be provided for the adjacent apartments. The building is 'U' shaped around a raised central courtyard that sits atop the groundfloor car park. Trees within planters are proposed for both the communal courtyard and private terraces.
- 7.12 Brick is proposed as the primary facing material, although this is to vary between the primary block fronting Crocus Street/Walleth Street, and the wing fronting Meadows Way, with a standing seam metal cladding used for the link between the two, which also marks the vehicular entrance into the car park, and on the recessed upper floor of the lower element fronting Meadows Way.

The recessed upper floor of the main block is also to be finished in brick, albeit dark grey/black in colour. Detailing within the brickwork is to be incorporated at various points throughout the elevations.

- 7.13 Further details of the external materials and detailing would be secured by condition.
- 7.14 The site is not within a conservation area but the Station Conservation Area lies to the north, the boundary running down the Tinkers Leen on the other side of Saffron Court. The nearest listed building is the Grade II Meadows Mill on Queens Road which lies to the north west of the application site. This sits between taller buildings on both sides with the main views from the south, but the proposed development would not impact on these views. The Hicking Pentecost building on Queens Road is not listed but is identified in the Conservation Area Character Appraisal as making a positive contribution to the Conservation Area. Key views of this building from the south have now been obstructed by Saffron Court and the proposed development, which at its highest point is the same height as Saffron Court, would not impact further on views or the setting of the Hicking building. Station House at the western end of Crocus Street is also identified as a building which makes a positive contribution to the Conservation Area, but this building is too far from the application site to be affected by the proposed development.
- 7.15 It is concluded that the proposed development would have a positive visual impact upon the site and its surroundings and would not adversely impact on any key views identified with the Nottingham Urban Design Guide. There is no substantial harm or loss of significance to the adjacent listed buildings or conservation area as a result of the proposed development, in accord with policy HE1 of the LAPP.
- 7.16 Subject to precise materials and landscaping details being secured by condition, it is considered that the development would accord with policies 10 and 11 of the ACS and policies DE1, DE2 and HE1 of the LAPP.

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

- 7.17 The proposed building would provide activity on all three street frontages, including Meadows Way, with ground floor apartments having individual entrances directly from the street, which would enhance community safety.
- 7.18 The existing trees along the Meadows Way frontage would be lost, but new planting and landscaping would be introduced between the building and Meadows Way which would enhance this as an area of public realm. The development also includes a large, landscaped courtyard above the ground floor car park which would provide private amenity space for the residents of the flats. All flats would have a good standard of amenity in terms of privacy, outlook, daylight and sunlight, and would meet the Nationally Described Space Standards.

- 7.19 The distance between the new building and Saffron Court would vary between 12-13m, which is not uncommon in this City Centre context. As such, it is not considered that the proposal would give rise to any significant amenity issues for the occupants of Saffron Court.
- 7.20 Noise impact and air quality assessments have been submitted for consideration as part of the application, which have been reviewed by Environmental Health colleagues and are considered to be acceptable. Standard conditions have been requested to address appropriate mitigation measures. A noise and dust management plan would also be required to minimise disturbance to nearby residents during construction.
- 7.21 Subject to conditions, 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)

- 7.22 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.
- 7.23 The proposal includes 44 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.
- 7.24 It is proposed to provide 213 cycle spaces within the site, in excess of the 141 cycle spaces required by the parking standards within the LAPP. The cycle parking would be internal and secure, accessed directly from the building and via the secure access way from Wallett Street.
- 7.25 The Highways team initially requested a contribution of £50,000 towards a pedestrian crossing on Queens Road. However, this request was made in January 2020 and since then adequate funding has already been secured from another development. This contribution is therefore no longer required.
- 7.26 Subject to the recommended conditions, the development is considered to accord with policies 10 and 14 of the ACS and policy TR1 of the LAPP.

OTHER MATTERS

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

- 7.27 The site is located within Flood Zone 2 in accordance with the Environment Agency Flood Map. However, the finished floor level has been set at 26 AOD in accordance with the recommendations of the Flood Risk Assessment

submitted with the application. The Environment Agency has no objection to the proposal having received an updated Flood Risk Assessment.

7.28 To comply with the requirements of Council's Flood Risk Officer as well as Building Regulation requirements, the drainage strategy of the development would be as follows:

- Achieve 30% reduction of the site's (prior to re-development) surface water runoff at peak times;
- The surface water drainage design will follow the principles listed in the Approved Document Part H of the Building Regulations and Sewers for Adoption, 7th Edition. The Building Regulations establishes a hierarchy for surface water disposal which encourages a SuDS approach;
- Surface water sewers shall be designed to a 1 in 30 year no flooding standard in accordance with BS EN 752: 2008. There will be no flooding of buildings or off-site areas during a 1 in 100 year return period storm event including climate change allowance;
- An increase of 40% in rainfall intensity to account for the effects of climate change over the lifespan of a residential development shall be taken into account; and
- The surface water attenuation will be designed to store the critical 100 year return period storm event including an allowance for climate change.

7.29 All these measures are welcomed by the Flood Risk team. The development therefore accords with policy 1 of the ACS and policy CC3 of the LAPP.

Contamination (Policy IN2 of the LAPP)

7.30 A Phase I contaminated land report has been submitted with the application and reviewed by Environmental Health. 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. Policy IN2 of the LAPP is therefore satisfied.

Planning Obligations (Policy 19 of the ACS, Policies IN4, HO3, EN2 and EE4 of the LAPP and the Open Space SPD)

7.31 A policy compliant planning obligation for the proposed development would be expected to provide the following contributions:

- Affordable Housing - £ 1,360,234
- Public Open Space - £263,003
- Local Employment and Training - £48,408
- Education - £86,486

7.32 The applicant has submitted a viability appraisal with the application which has been independently reviewed by an assessor appointed by the Council. The assessor has found the scheme to be unviable if the full S106

contributions were to be paid, but rather than the zero contribution concluded within the applicant's viability appraisal, they have recommended a reduced contribution of £73,000. Following a period of negotiation this has been accepted by the applicant. Having regard to both the contribution amount and S106 priorities in the local area, the sum of £73,000 would be allocated towards enhancing education facilities in the locality.

7.33 Policy 19 of the ACS and policy IN4 require consideration to be given to the viability of schemes when determining whether it would be reasonable to require contributions from developments. These policies are therefore complied with on this basis.

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

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 and green roof. The proposal would create space for nature with several areas of green space alongside the installation of bat and bird boxes as recommended by the Council's Ecologist. It is intended that planting would be provided in the courtyard and on the Meadows Ways frontage. The total green space including the courtyard and green roofing would measure at 813.17m². 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 Energy efficiency and sustainability measures are set out within the design and access statement submitted as part of the application. The following sustainability measures to be incorporated into the scheme:

- A fabric first approach is being adopted. The proposal includes specification to meet the new Building Regulation requirements for levels of thermal insulation.
- Further improvement will then be targeted through the installation of photovoltaic panels as a means of reducing the overall energy consumption of the proposed development, whilst also generating a local source of renewable electricity.
- Besides targeting improved energy efficiency, the proposed development also considers sustainable design and adaptation measures such as incorporating water saving features to ensure a maximum calculated water consumption of 110 litres per person per day.
- Consideration will be given to install highly efficient Mechanical Ventilation units with Heat Recovery to improve acoustic levels, air quality and to reduce

the heating demand of the apartments by limiting the heat losses via ventilation processes.

- Whilst the orientation of the proposed development is somewhat dictated by the confines of the site, the proposed apartments would benefit from a number of passive design features such as a good proportion of glazed areas which will provide solar gains to the dwellings during winter months whilst also maximising natural day lighting levels for occupants.

8.3 Given that the scheme has yet to be designed to a sufficiently detailed stage, further details of the proposed sustainability strategy are to be required by condition. The proposal is therefore in accordance with policy 1 of the ACS and policies CC1 and CC3 of the LAPP.

9 Financial Implications

Financial contributions as detailed above are in accordance with policy 19 of the ACS and policy IN4 of the LAPP, and the relevant Supplementary Planning Documents.

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. 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 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: 19/02552/PFUL3 - link to online case file:

<https://publicaccess.nottinghamcity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=Q0Y66QLYN3000>

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

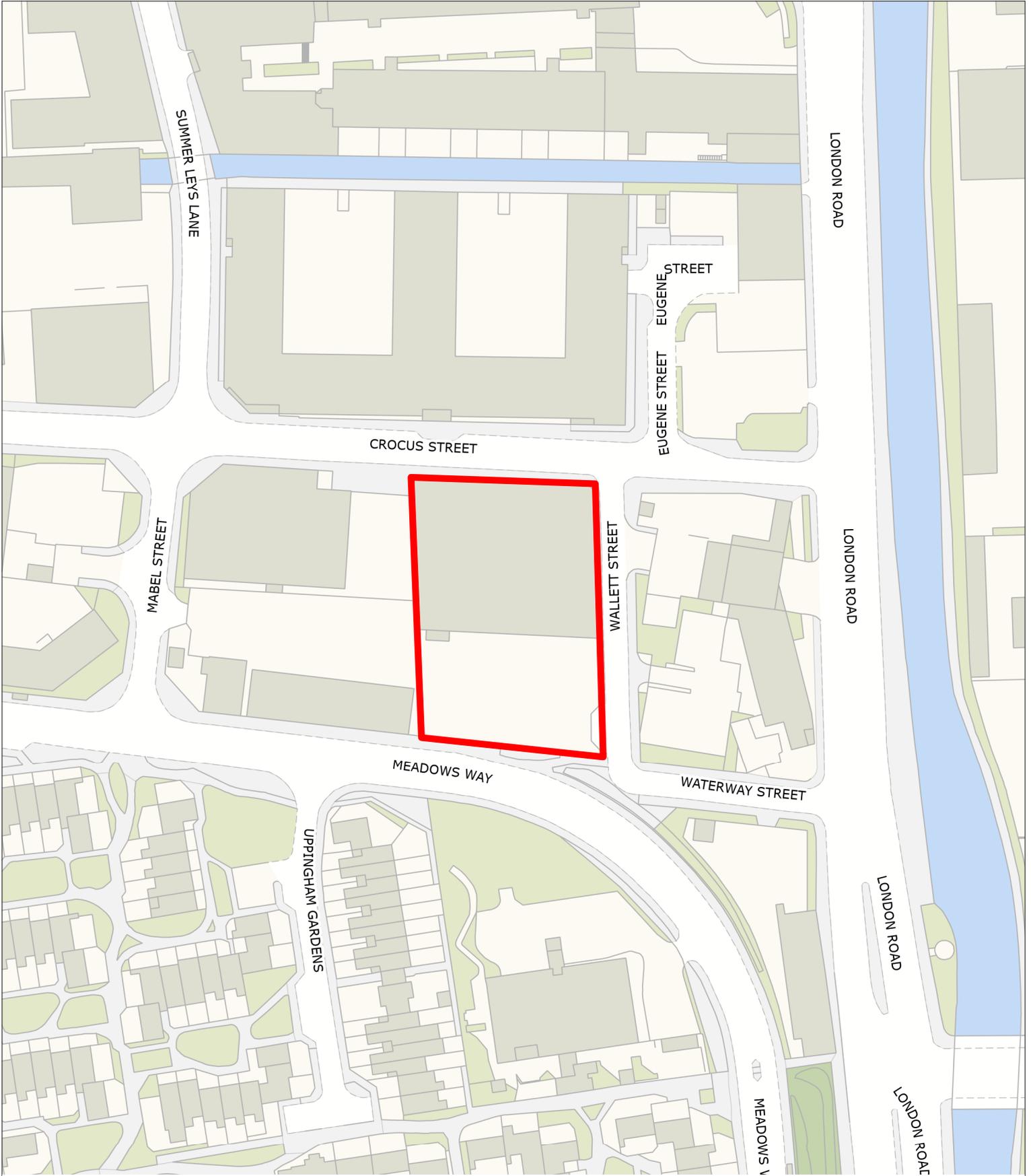
The Provision of open Space in New Residential and Commercial Development (2019) SPD

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Key



City Boundary

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Description

A map printed from Nomad.



Nottingham
City Council

My Ref: 19/02552/PFUL3 (PP-08288005)
Your Ref:
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Date of decision: 8 November 2022

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

Application No: 19/02552/PFUL3 (PP-08288005)
Application by: Mr Singh
Location: 1 Wallett Street, Nottingham, NG2 3EL
Proposal: Demolition of Existing Buildings and Erection of Residential 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.

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

Pre-commencement conditions

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

2. 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 policies DE1 and TR1 of the LAPP.



3. Prior to the commencement of the development, a Remediation Strategy that has regard to the Contaminated Land Phase 1 Report by Collins Hall Green dated Oct 2019 (ref F238-CHG-00-XX-RP-S-0001) and 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 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 Plan providing details of the data that will be collected in order to demonstrate that the works set out in b) 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 the development, an environmental noise assessment and sound insulation scheme shall be submitted to and be approved in writing by the Local Planning Authority.

The environmental noise assessment shall have regard to the Noise Assessment by Spire Environmental dated 08/11/2019 (ref R19.1368-N-1-AG) and 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 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 more than 45dB LAm_{ax}(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 safeguard residential amenity and to deal with noise associated with the operation of the building to accord with policy 10 of the ACS and policies DE1 and IN2 of the LAPP.



5. Prior to the commencement of development, an updated bat survey shall have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the recommendations of the approved survey.

Reason: In the interests of nature conservation in accordance with Policy 17 of the ACS and Policy EN6 of the LAPP.

6. Prior to the commencement of above ground development and notwithstanding the approved drawings, the following shall be submitted to and approved in writing by the Local Planning Authority:

- a) Details of the window frames and doors, ventilation louvres (if any), window reveal depths, and brick detailing
- c) Roof edge, parapet and balcony details
- d) Details of all external materials. A sample panel of the proposed brickwork shall be constructed on site for review by the Local Planning Authority before seeking written approval

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

Reason: To ensure an appropriate quality of finish to the approved development in accordance with policies 10 and 11 of the ACS and policies DE1, DE2 and HE1 of the LAPP.

7. Prior to the commencement of above ground development, an electric vehicle charging point (EVCP) scheme shall be submitted to and be approved in writing by the Local Planning Authority.

The scheme shall include:

For Residential Development:

- 1 electric vehicle charging point per domestic unit (ie dwelling with dedicated off street parking), and,
- 1 electric vehicle charging point per 10 parking spaces (unallocated parking)

For Anticipated Future Demand:

To prepare for increased demand in future years, appropriate cable provision shall be included in the scheme design and installed as part of the development in agreement with the Local Planning Authority.

Reason: In the interests of sustainable transport and to accord with policies CC1 and TR1 of the LAPP.

8. Notwithstanding the information submitted with the application, prior to the commencement of above ground development details of the sustainability measures to be incorporated into the development, including the areas of green roof, shall be submitted to and approved in writing by the Local Planning Authority.

Where the sustainability measures include provision for heating and power generating proposals produced by combustion, then they shall be accompanied by an air quality assessment which include:

- A full air quality impact assessment including heating and power generating proposals, emissions from existing road and rail transport activities and vehicles associated with the development and the concentrations of pollutants of concern at sensitive receptors
- A stack height calculation (where appropriate)
- Details of an abatement techniques and mitigation of potential impacts



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, 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.

10. 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.

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

Reason: In the interests of sustainable transport and to accord with policies CC1 and TR1 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.

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. Prior to first occupation of the development, the approved cycle parking facilities for 213 cycles shall first have been provided.

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. Prior to first occupation of the development, bird and bat housing shall have been installed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of nature conservation in accordance with policy 17 of the ACS and policy EN6 of the LAPP.

15. Notwithstanding the approved drawings, the development shall not be occupied until the bin store and collection arrangements have been provided in accordance with details which have first been submitted and approved in writing by the Local Planning Authority.

Reason: To ensure that appropriate bin storage facilities have been provided in order to comply with policy 10 of the ACS and policy DE1 of the LAPP.

Regulatory/ongoing conditions

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

16. The development shall be carried out in accordance with the submitted flood risk assessment (Bradbrook Consulting, Revision 1, 23 December 2022) and the following mitigation measures it details:

Finished floor levels shall be set no lower than 26.03 metres above Ordnance Datum (AOD)

The mitigation measures shall be fully implemented prior to first occupation of the development. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants in order to comply with policy CC3 of the LAPP.

17. 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.

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 18080-CBP-00-ZZ-DR-A-3000 revision P04, received 5 November 2022
Drawing reference 18080-CBP-00-ZZ-DR-A-3100 revision P04, received 1 June 2020
Drawing reference 18080-CBP-00-ZZ-DR-A-2005 revision P01, received 21 November 2019
Drawing reference 18080-CBP-00-ZZ-DR-A-3200 revision P04, received 1 June 2020
Drawing reference 18080-CBP-00-ZZ-DR-A-3300 revision P04, received 1 June 2020
Drawing reference 18080-CBP-00-ZZ-DR-A-3400 revision P04, received 5 November 2022
Drawing reference 18080-CBP-00-ZZ-DR-A-3500 revision P04, received 5 November 2022



Drawing reference 18080-CBP-00-ZZ-DR-A-3600 revision P04, received 1 June 2020
Drawing reference 18080-CBP-00-ZZ-DR-A-4100 revision P04, received 1 June 2020

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.



Paul Seddon
Director of Planning and Regeneration



RIGHTS OF APPEAL

Application No: 19/02552/PFUL3 (PP-08288005)

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,



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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