Wards Affected: Bestwood Item No:

Planning Committee 20 December 2023

Report of Director of Planning and Transport

Site Of St Matthew on The Hill Church, Padstow Road, Nottingham

1 Summary

Application No: 23/01745/PFUL3 for planning permission

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

Association

Proposal: Proposed 15 units of supported accommodation and communal

facilities on the site of the former St Matthews Church. External cycle and refuse storage proposed alongside landscaping and

6no. parking spaces.

The application is brought to Committee because of the level of public interest generated by the application.

To meet the Council's Performance Targets this application should be determined by 11th January 2024.

2 Recommendations

2.1 **GRANT PLANNING PERMISSION** subject to conditions substantially in the form listed in the draft decision notice at the end of this report, with power to determine the final details of the conditions to be delegated to the Director of Planning and Transport.

3 Background

- 3.1 The application site is the former site of the St Matthew on The Hill Church, which was demolished in 2019 following damage from an arson attack in 2009. The site has four individual trees and an area of woodland that are protected by a Tree Preservation Order (TPO799)..
- 3.2 To the north of the site are two storey residential dwellings along Peary Close with an intervening footpath. These dwellings have their front elevations facing towards the application site (onto the footpath) and their rear elevations to the road. The footpath is approximately 4.4m lower than the ground floor of the proposed building.
- 3.3 To the west of the site are two storey dwellings at 12-24 Padstow Road. To the south of the site is an intervening paved access track. This provides pedestrian access into the new build housing, although it is not adopted highway or a public right of way.
- 3.4 Beyond this access track will be a small group of new build affordable housing (two

one-bedroom bungalows and six one-bedroom maisonettes) which is part of the wider new build housing to the east of the application site. To the south of this housing is Henry Whipple Primary School with a pedestrian entrance to the school 5m from the access track that leads to the application site. To the east of the site is also part of the new build development currently being developed by Countryside Properties (UK) Limited, but the land directly adjacent to the site will be retained as scrub and grassland.

4 Details of the proposal

- 4.1 The proposal is for the erection of a two/three storey building to provide 15 studio/one bedroom supported accommodation units along with communal facilities along with external cycle and refuse storage, landscaping and six parking spaces.
- 4.2 The building is proposed to be located centrally within the site, 5.4m from the southern boundary with the new build housing. It would be 58m from the eastern boundary, 21m from the northern boundary with the footpath along Peary Close and 54m from the boundary with the properties along Padstow Road.
- 4.3 The southern side of the building would be three storeys, stepping down to two storeys towards the north. It would have mono-pitched south sloping roofs with photovoltaic panels. The roof would have a maximum height of 10.5m. The majority of the windows would be on the east (rear) and west (front) elevations, with upper floor side elevation windows serving hallways. The maximum width would be 34m and depth of 14m.
- 4.4 The accommodation would be on the ground, first and second floors with each unit either being a one-bedroom (single bed) unit with its own bathroom and living space, or an open-plan studio with space for a double bed which is used for the two accessible units on the ground floor. The ground floor also has a laundry room, a resident's day room leading to a secure garden space, a training room for residents and various staff facilities such as offices and a kitchen.
- 4.5 The external layout of the site would make use of the existing turning circle remaining from the former Church. The site frontage would have six parking spaces (two of them with electric vehicle charging points) and external bike storage with 12 cycle parking spaces. The external landscaping will include retaining many of the existing trees and vegetation at the site, with a secured rear amenity space to the rear (east) of the building and a 1.2m high fence to protect the group TPO area.

5 Consultations and observations of other officers

Adjoining occupiers consulted:

38 neighbours along Padstow Road and Peary Close were consulted, which also included Henry Whipple Primary School and Countryside Properties (UK) Limited. Two site notices were erected – one on a lamppost along Padstow Road near to the entrance to the application site and another on a lamppost on the raised footpath along Peary Close.

14 objections have been received raising the following concerns:

- (i) Security and Safety Issues
 - Not appropriate for the development to be located next to a primary

- school. Could cause disruption and safety issues for children. Children would be exposed to those with complex mental health and/or addiction.
- School children currently congregate directly outside of building before and after school. Development may be a safeguarding hazard
- Not appropriate for the development to be located close to families. Could cause families to move out of the area.
- Residents may have complex mental health issues and substance misuse. Creates high risk of anti-social behaviour, criminal damage, drug use and burglaries.
- May make area unsafe at night for women, elderly, vulnerable neighbours, and young children.

(ii) Parking and Road Safety Issues

- Current road and parking conditions pose a risk to pedestrians and motorists, especially during peak school hours.
- The new housing with limited parking exacerbates existing issues.
- Any additional construction and building will exacerbate road safety risk because of additional traffic.

(iii) Amenity/Overlooking Issues

- Any building and windows that would directly overlooking the school and playground could pose a safeguarding risk to children as well as adjoining residents who would be overlooked.
- Current housing development is major disruption to teaching and learning at Primary School due to heavy plant noise and ground vibrations.
 Further building would cause this to be ongoing and affect health and well-being of both children and staff.

(iv) Biodiversity and Sustainability Issues

- Already a huge amount of development in the area which has taken up so much green space and impacting wildlife.
- With climate change we need to protect green areas and trees.
- Area cannot afford to lose more green areas and trees.
- Used to see bats regularly in area but do not anymore.
- Area is home to many species of wildlife, foxes, rabbits, native birds and bats. Due to the new homes on the Padstow site these creatures are being driven out of their environment. Land should be preserved for them.
- What is to stop more trees being removed from the site?

(v) Impact on Wider Area

- Area can't afford to have more low-income families or single people to support.
- With the new housing there are not enough resources in the area. Schools are full and can't get GP appointments.
- St Matthews Church was a community asset and surely this land should be used for the community.

(vi) Other Issues (not material planning considerations)

- Who will pay to improve the boundary between the site and Henry Whipple Primary School?
- There has been no communication with Henry Whipple Primary school to ascertain any concerns on the statutory requirement of safeguarding the school children.

- May lower the price of houses.
- Would be better to use the site as a park or play area for children.
- To only be given 21 days to reply to the application is very poor practice. A tiny notice on a pole is not enough.
- Would be better if the site was to be used for social housing for local families.

Biodiversity: Welcome the retention and protection of existing mature habitats within the site. A Biodiversity Management Plan for the site will be included as a pre-commencement condition. The BMP should include an Ecological Enhancement Plan showing the types and locations for bat, bird and hedgehog boxes and ongoing maintenance of these features. A Construction Environment Management Plan should be conditioned in order to protect wildlife during construction.

Carbon Neutral Policy Team: Positive to see many of the ecological features will be retained and enhanced, with 2 of the 6 parking spaces being for electric vehicles. No energy or sustainability statement has been provided so unable to assess the carbon impact on the building. Cannot assess the proposal and therefore have a neutral stance on the proposal.

Drainage (Flood Risk Management Team): no objection in principle subject to adequate drainage details, including sustainable drainage systems, being secured through condition.

Education: no contributions required.

Environmental Health: no response received.

Highways: Raise no objection, subject to recommended conditions. Nature of occupiers mean that occupancy car ownership likely to be low. There is staff parking and bike storage. Site is close to NCT bus routes. The former use of the Church would have likely generated more parking and traffic than the proposed use. Recommend conditioning a Construction Management Plan with reference to the adjacent school, a Staff Travel Plan to encourage sustainable transport and a condition that all damaged areas of the public highway are reinstated.

Head of Housing & Regeneration: From the perspective of the Council's Homelessness Strategy, I want to support this provision which is a key plank of the Council's provision for homeless singles. This unit will provide accommodation for single homeless women and the fact that this is a women's only unit does make it inherently less risky than a unit for men in a number of important ways.

The provision will involve 24-hour double staff cover to ensure it is properly managed and that the individual units are self-contained. The unit aims to support people to settle into stable living patterns within communities, so it is entirely appropriate that this is located within a residential neighbourhood and is within reasonable distance from appropriate services and facilities. The Council needs to source appropriate provision for this client group and no matter where these are proposed there are often objections that are based primarily on the nature of the provision, or which would apply in almost any realistic location which could be sourced within a dense urban area like Nottingham. It is important that the decision over this provision recognises these challenges and also how this provision is

required to deliver on the Councils agreed objectives to address and reduce homelessness.

An objection that often raises more concern in planning terms for provision of this nature relates to whether there is an over-concentration of similar provision in an area, however this isn't the case in the locality that this facility is proposed.

Police (Designing Out Crime Officer): no objection. Recommend an informative note around achieving 'Secured by Design' standards.

Tree Officer: proposal is acceptable, and Arboricultural Method Statement should be conditioned.

6 Relevant policies and guidance

National Planning Policy Framework (2023)

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 47 states planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Paragraph 92 states that planning decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other.

Paragraph 126 notes that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve, and that good design is a key aspect of sustainable development.

Paragraph 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.

Aligned Core Strategy (September 2014):

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 17 - Biodiversity

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 HO4: Specialist and Adaptable Housing

Policy HO5: Community Facilities
Policy DE1: Building Design and Use
Policy DE2: Context and Place making
Policy LS5: Community Facilities

Policy TR1: Parking and Travel Planning

Policy TR2: The Transport Network

Policy EN6: Biodiversity

Policy EN7: Trees

Supplementary Planning Documents

Biodiversity (2020)

7. Appraisal of proposed development

Main Issues:

- (i) Principle of Development and Amenity
- (ii) Layout, Design and Appearance
- (iii) Highways and Access
- (iv) Flood Risk and Drainage
- (v) Trees, Biodiversity and Sustainability

Issue (i) Principle of the Development (Policies 1 and 10 of the ACS, Policy HO4, HO5 and EE4of the LAPP)

- 7.1 The development provides 15 self-contained studios and one-bedroom flats to provide supported living accommodation. Policy HO4 (Specialist and Adaptable Housing) of the LAPP states in residential areas planning permission will be granted for specialist housing for older people, other vulnerable groups and for hostel accommodation provided that:
 - a) a satisfactory residential environment can be achieved for the benefit of the intended occupants;

- b) the amenity of existing local residents would not be compromised;
- c) the use would not result in over-concentration of similar uses in any one area leading to a material change in character:
- d) the site is accessible to public transport and other services; and
- e) there will be satisfactory management arrangements in place to ensure amenity of nearby occupiers is maintained.
- 7.2 The proposed residential units are studios/one bedroom that are 30sqm, which is 7sqm (19%) smaller than the 37sqm minimum required by the Nationally Described Space Standards, although residents will also have access to a 30sqm 'Day Room' and approximately 450sqm of secure rear amenity space.
- 7.3 The agents have stated that the unit size is limited due to funding constraints. The project is being funded under the Government's 'Single Homeless Accommodation Programme' with an agreement between Framework Housing Association (the applicants) and Homes England. The funding constraints mean it would not be possible to deliver units which are more than 30sqm.
- 7.4 On balance, given the need for supported accommodation, the availability of shared facilities within the building and the significant area of external amenity space, it is considered the future occupiers would have an acceptable standard of amenity.
- 7.5 The proposed building would be 5m from the southern boundary, which adjoins the pedestrian footpath with a new build bungalow beyond. Beyond the bungalow is Henry Whipple Primary School. There are two first floor windows on this south (side) elevation which will be conditioned to be obscurely glazed. Given these windows serve a hallway, it is considered it would not have a significant negative impact on the amenity of the bungalow or the school beyond. The building would be at least 20m from all other boundaries.
- 7.6 Given the separation distances to the northern and western properties (over 21m), it is considered the building height and openings would not impact neighbour amenity. The building would be close to the southern boundary, but the upper floor windows would be obscurely glazed and would serve hallways, not living space. It is considered the building would not significantly impact the amenity of the new dwellings to the south and east, or Henry Whipple Primary School.
- 7.7 The nearest purpose-built building for housing rough sleepers is Sunrise House. The applicants (Framework Housing Association) operate Sunshine House which provides 16 units of accommodation along Pedmore Valley (planning reference. 14/01822/PFUL3) and is 1km from the application site. It is therefore considered there is not an over-concentration of similar uses in the area.
- 7.8 The site is considered to be accessible to public transport with two bus stops 350m from the site served by NCT Brown Line 15 and 16 with regular busses to Nottingham City Centre. The site is also close to amenities such as Bestwood Estate Community Centre, Southglade Park Library and Southglade Leisure Centre. There is a convenience store on Southglade Road, approximately 350m away, and an Aldi supermarket 800m away.
- 7.9 The applicants (Framework Housing Association) have provided a brief statement but have not provided details on the management arrangements in place to ensure the amenity of nearby occupiers are maintained. They have stated the application

- site would be women-only. However, as it is considered unreasonable to restrict this as part of the planning process, this has not been given weight in the process.
- 7.10 Given the proximity of the site to Henry Whipple Primary School it is considered reasonable to request a Management Strategy is submitted to the Local Planning Authority prior to commencement of development, with evidence submitted that the Strategy has been prepared in direct consultation with Henry Whipple Primary School. This is in addition to a condition to provide a Local Employment and Training Opportunities Statement to accord with Policy EE4 of the LAPP.
- 7.11 Policy HO5 of the LAPP states the loss of community facilities and their sites will only be permitted if it can be demonstrated the proposal meets one of five criteria. One of these is 'the facility is no longer needed within the community and suitable alternative provision with sufficient capacity is available in the area'.
- 7.12 The Church was damaged by an arson attack in 2009 and was subsequently demolished in 2019. The site is owned by the Diocese of Southwell & Nottingham and the Design and Access Statement submitted with the application states that Church attendance in Bestwood has dropped to a level where the site is no longer required for worship. There are other Churches within the Bestwood and Top Valley area (such as Saint Philips Church and Bestwood Park Church). Given the site has not been in use since the fire in 2009 and the public benefits in providing sheltered accommodation for rough sleepers, it is considered the loss of a site previously used as a community facility is justified. As such, the proposal complies with Policy HO5 of the LAPP.
- 7.13 Overall, it is considered that the proposed development complies with Policies 1 and 10 of the ACS, Policy HO4, HO5 and EE4of the LAPP
 - **Issue (ii) Layout, design and appearance** (Policy 10 of the ACS and Polices DE1 and DE2 of the LAPP)
- 7.14 The proposed building has a contemporary design with mono-pitched roofs to enable photovoltaic panels on the roof. The building is three storeys to the south and two storeys to the north. The walls would be two contrasting colours of brick with a metal roof. Details of the external materials, including boundary treatments, can be conditioned to ensure that they are of an appropriate finish that is in keeping with the character of the area. The proposal therefore complies with Policy 10 of the ACS and Policies DE1 and DE2 of the LAPP.

Issue (iii) Highways and Access (Policies TR1 of the LAPP)

- 7.15 The proposal would provide six parking space and 12 cycle parking spaces. Pedestrian and vehicle access to the site would be from the existing private road from Padstow Road. This access was previously a public right of way, which has been suspended during construction of the new build houses to the west of the application site. Once construction is complete, this public right of way will be reinstated.
- 7.16 Future occupiers of the building would be unlikely to have their own private cars. There would be three staff on site during normal office hours and two staff during night cover periods. Other regular visitors to the site, such as health practitioners, would be unlikely to be more frequent than a weekly basis. In addition, the proposed use would likely generate less parking demand compared to the use of

the site as a church. On balance, it is considered six parking spaces and the cycle parking is sufficient provision and the proposal would not have a significant impact on highway safety, compared to the use of the site as a church and will comply with Policy TR1 of the LAPP.

- 7.17 A pre-commencement condition will be required for Construction Management Plan with reference to the adjacent school. A Staff Travel Plan is considered unreasonable to condition given there would be a maximum of five staff on site at any one time. A condition requiring the public highway is reinstated is considered unnecessary because no works are proposed to the public highway.
 - **Issue (iv) Flood Risk and Drainage** (Policy 1 of the ACS and Policy CC3 of the LAPP)
- 7.18 The application site is in Flood Zone 1 and is not at risk from surface water flooding.
- 7.19 The Flood Risk Management Team raise no objection in principle, subject to appropriate drainage strategy, including sustainable drainage systems, are submitted through condition. The proposal is therefore considered to comply with Policy 1 of the ACS and Policy CC3 of the LAPP.
 - **Issue (v) Trees, Biodiversity and Sustainability** (Policies 1 and 17 of the ACS and Policies CC1, EN6 and EN7 of the LAPP and Biodiversity SPD)
- 7.20 The application site is considered to be previously developed land, although since the demolition of the church, the site has become overgrown with self-set trees, shrubs and brambles. Some of these will need to be cleared but none of the mature trees or trees protected by TPOs will be removed. These will be protected during construction as outlined in the Arboricultural Method Statement, and compliance will be conditioned.
- 7.21 The proposal incorporates the retention of a large amount of the existing trees and vegetation to the east, north and west of the proposed building. This includes a 2,400sqm area to the east of the proposed building which will be protected from the main site by a 1.2m close boarded timber fence and retained as trees and tall dense vegetation.
- 7.22 In order to ensure suitable management of the biodiversity on the site, a Biodiversity Management Plan will be conditioned. It will also include an Ecological Enhancement Plan showing the types and locations for bat, bird and hedgehog boxes as recommended in the Ecological Appraisal and include the ongoing maintenance of these features and the long-term protection of trees.
- 7.23 This is in addition to the Construction Environment Management Plan which ensures that retained habitats are protected during construction. It should include measures to prevent impacts on wildlife, including bats, from lighting during construction.
- 7.24 In terms of sustainability, the roof of the building will be two south-facing monopitched roofs with photovoltaic panels. Two of the six parking spaces on the site will have electric vehicle charging points, in addition to the cycle storage to encourage sustainable modes of transport. Further details of sustainability measures will be required as a pre-commencement condition.

7.25 It is considered the proposal is in accordance with Policies 1 and 17 of the ACS and Policies CC1. EN6 and EN7 of the LAPP.

8 Financial Implications

None.

9 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.

10 Equality and Diversity Implications

None.

11 Risk Management Issues

None.

12 Strategic Priorities

Helping to deliver well-balanced neighbourhoods with a mix of housing types that meet Nottingham's future needs.

Ensuring that all planning and development decisions take account of environmental and sustainability considerations.

13 Crime and Disorder Act implications

Homeless people are vulnerable and more likely to be victims of crime. Some homeless people are involved in drug use and anti-social begging which will be reduced if people are housed.

14 Value for money

None.

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

1. Application No: - 23/01745/PFUL3 link to online case file: https://publicaccess.nottinghamcity.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=S2EHAZLYLQ100

16 Published documents referred to in compiling this report

Aligned Core Strategies – Local Plan Part 1 (2014)

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

NPPF (2023)

Biodiversity SPD (2020)

Contact Officer:

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Nomad printed map



Key
City Boundary

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Description
A map printed from Nomad.



My Ref: 23/01745/PFUL3 (PP-12508528)

Your Ref:

Contact: Miss Katherine Lowe

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Development Management City Planning

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Date of decision:

TOWN AND COUNTRY PLANNING ACT 1990 APPLICATION FOR PLANNING PERMISSION

Application No: 23/01745/PFUL3 (PP-12508528)

Application by: Mr Phill Collins

Location: Site Of St Matthew On The Hill Church, Padstow Road, Nottingham

Proposal: Proposed 15 units of supported accommodation and communal facilities on the

site of the former St Matthews Church. External cycle and refuse storage

proposed alongside landscaping and 6no. parking spaces.

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 commencement of the development hereby permitted, details of the proposed external bricks and roof tiles, along with details of window reveals (including sections at scale 1:20), shall be submitted to the Local Planning Authority for approval. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory in accordance with Policy 10 of the ACS and Policy DE1 of the LAPP



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Not for issue

3. Prior to commencement of the development hereby permitted, a Management Strategy shall be submitted to the Local Planning Authority for approval.

Reason: To ensure there will be satisfactory management arrangements in place for the proposed specialist housing to ensure amenity of nearby occupiers is maintained in accordance with Policy 8 of the ACS and Policy HO4 of the LAPP.

4. Prior to commencement of development hereby permitted, a Local Employment and Training Opportunities Statement shall be provided to the Local Planning Authority for approval.

Reason: To ensure the development helps to ensure that opportunities exist for more City residents to access work and/or develop their skill base in accordance with Policy EE4 of the LAPP.

5. Prior to the commencement of development, a Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall ensure the existing habitats on site are protected from impacts such as damage by construction traffic, pollution including run-off and increased noise and lighting levels.

Development shall be undertaken in accordance with the approved scheme.

Reason: In the interests of biodiversity and in accordance with policy EN6 & EN7 of the LAPP

- 6. Prior to commencement of development, a Biodiversity Management Plan (prepared in accordance with the Ecological Appraisal dated 12th October 2023) shall be submitted to the Local Planning Authority for approval. The Plan shall cover:
 - All areas of retained and newly created habitats,
 - An Ecological Enhancement Plan showing the types and locations for bat, bird and hedgehog boxes.
 - A timetable for implementation and a management plan,
 - Information packs for future residents to inform them of the habitat and its management.

The approved landscaping and ecological enhancements shall be carried out in accordance with the approved timetable for implementation and any newly planted trees or plants which die, are removed or become seriously damaged or diseased within a period of five years shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the appearance of the development is satisfactory and in the interests of protecting and promoting biodiversity in accordance with Policies 10 and 17 of the ACS and Policies DE1, DE2, EN6 and EN7 of the LAPP.

7. Prior to commencement of development, details will be provided on how the proposal will seek to maximise opportunities to incorporate sustainable design features and Innovative sustainable design solutions for energy efficiency. The development shall then be carried out in accordance with the approved details.

Reason: To ensure the proposal incorporates sustainable design features to comply with Policy 1 of the ACS and Policy CC1 of the LAPP.

8. Unless otherwise agreed in writing with the Local Planning Authority, the tree protection measures outlined in the Arboricultural Method Statement (dated 3rd November 2023) shall be implemented prior to commencement of construction and retained for the duration of construction.



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Not for issue

Reason: To ensure adequate tree protection measures during construction in accordance with Policy 17 of the ACS and Policy EN7 of the LAPP.

Pre-occupation conditions

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

9. Prior to the 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 the drainage system has been constructed as per the Drainage Specification received 31st October 2023 and Drainage Layout (Rev A) and Drainage Statement and Maintenance Plan (Rev A) received 13th November 2023.

It shall also 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.

10. The approved development shall not be first occupied until the external areas of the site have been implemented in accordance with the approved details, including the car parking spaces, bin and cycle stores.

Reason: In the interests of the residential amenity of occupants of the approved development and neighbouring residents in accordance 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)

11. The approved development shall not be used at any time in future other than for a total of 15 supported living dwellings with staff/communal spaces and in accordance with the approved layout plans unless varied with the prior written approval of the Local Planning Authority.

Reason: In the interests of ensuring that any future changes to the use or internal layout of the approved development can be reviewed having regard to the amenity of neighbouring residential properties, occupier amenity and wider area in accordance with Policy 8 of the ACS and Policy HO4 of the LAPP.

12. The obscurely glazed windows, as shown on the approved elevations, shall be retained as obscure glazing for the lifetime of the development.

Reason: To protect the amenities of the occupiers of nearby property to comply with Policy 10 of the ACS and Policy DE1 of the LAPP.

13. Notwithstanding any details or notes in the application documents stating or implying otherwise, the units 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 Nottingham Local Plan.

(Note: This condition affects the requirements of the Building Regulations that apply to this development. You must ensure that the building control body responsible for



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Not for issue

supervising the work is informed of this condition)

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: Location Plan, received 12 October 2023

Plan reference Block Plan, received 12 October 2023

Plan reference Proposed Site Plan revision A, received 13 November 2023

Plan reference Proposed Plans revision A. received 13 November 2023

Elevations reference Proposed Elevations revision A, received 13 November 2023

Reason: To determine the scope of this permission.

Informatives

- 1. This permission is valid only for the purposes of Part III of the Town & Country Planning Act 1990. It does not remove the need to obtain any other consents that may be necessary, nor does it imply that such other consents will necessarily be forthcoming. It does not override any restrictions contained in the deeds to the property or the rights of neighbours. You are advised to check what other restrictions there are and what other consents may be needed, for example from the landowner, statutory bodies and neighbours. This permission is not an approval under the Building Regulations.
- 2. Noise Control: hours of work and equipment during demolition/construction To assist with project planning, reduce the likelihood of justified complaint and avoid costly restriction and development delays, 'acceptable hours' are detailed below:-

Monday to Friday: 0730-1800 (noisy operations restricted to 0800-1800) Saturday: 0830-1700 (noisy operations restricted to 0830-1300)

Sunday: at no time Bank Holidays: at no time

Work outside these hours may be acceptable but must be agreed with Nottingham City Council's Pollution Control Section (Tel: 0115 9152020).

Equipment

All equipment shall be properly maintained, serviced and operated in accordance with the manufacturer's recommendations and with appropriate noise suppression/silencers.

Dust/Grit and other fugitive emissions

Construction and demolition work invariably generates grit and dust, which can be carried offsite and cause a Statutory Nuisance, and have a detrimental effect on local air quality.

Contractors are expected to use appropriate methods to minimise fugitive emissions, reduce the likelihood of justified complaint and avoid costly restriction and development delays. Appropriate methods include:-

Flexible plastic sheeting Water sprays/damping down of spoil and demolition waste Wheel washing Periodic road cleaning



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3. It is recommended the development aims to meet the Secured by Design standard. Nottinghamshire Police Designing Out Crime Officers will be available to provide ongoing guidance to the developer in the adoption of the SBD standards. The SBD standards are also available to view at https://www.securedbydesign.com/images/HOMES GUIDE 2023 web.pdf

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: 23/01745/PFUL3 (PP-12508528)

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 Planning Inspectorate website at https://www.gov.uk/appeal-planning-decision.

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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