

Report of Director of Planning and Transport

10 Alpine Street, Nottingham

1 Summary

Application No: 24/00978/PFUL3 for planning permission

Application by: Allan Joyce Architects Ltd. on behalf of Mr Philip Collins

Proposal: Demolition of vacant factory and erection of 20 supported living units with associated ancillary communal and management facilities.

The application is brought to Committee because it is proposed that the planning obligations typically required by adopted planning policies be waived in this case.

To meet the Council's Performance Targets this application should have been determined by 10th September 2024. An extension of time has been requested.

2 Recommendations

GRANT PLANNING PERMISSION subject to the 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 relates to the site of 10 Alpine Street which spans from the back edge of pavement on Alpine Street to the south west, to the back edge of pavement on Church Street to the north east. The site is occupied by a series of industrial buildings of varying style, age and condition. Collectively they have historically been used to accommodate a lace factory but have been vacant in excess of 18 months.
- 3.2 To the north of the site along Alpine Street is a short terrace of three residential properties. These properties have terraced rear gardens with a significant retaining wall onto the adjacent, lower site on Church Street. There is a recently approved extant planning permission for five dwellings on this neighbouring, lower site.
- 3.3 To the south of the site lies the locally listed former White Swan public house which has now been converted to an HMO. Between that building and the application site is a large partly sloping area, which was formerly the car park associated with the public house.
- 3.4 The site is included within the Bar Lane Industrial Estate, a Major Business Park/Industrial Estate, albeit on the edge of this area, which is largely on the opposite side of Church Street and beyond. There are a mix of residential and industrial/commercial premises surrounding the site with many original industrial buildings in the vicinity having been converted to residential use.

4 Details of the proposal

- 4.1 The application seeks planning permission for a four storey building to provide 20 supported living units, following demolition of the existing vacant industrial buildings. The proposed building would provide frontages to both Alpine Street and Church Street, with its footprint encompassing the majority of the site. Due to the level difference across the site, the building would vary in height with three storeys facing onto Alpine Street and four storeys onto Church Street.
- 4.2 The scheme has been through a series of amendments and iterations in response to concerns relating to the design, appearance and layout. Consideration has been given to conversion of the existing buildings, but it is recognised that this would be neither practical nor viable.
- 4.3 The final scheme would comprise a series of pitched roof blocks to each of the street frontages, with sections of flat roof between. It would be constructed from predominantly red brick with tiled roofs and sections of metal cladding. Projecting, standing seam clad bays, brick corbelling and stone detailing would add interest to the street facing elevations. Photovoltaic panels are proposed to the south west facing pitched roof slope. Boundaries with the public highway would be partially enclosed using reclaimed Bulwell stone and the small external areas around the building would incorporate some soft landscaping.
- 4.4 The supported units would take the form of one bed studios that would be spread over the 4 floors. Each unit would have its habitable windows within either the south west (Alpine Street) or north east (Church Street) elevations. Windows in the side elevations would serve corridors and be obscurely glazed. The building would also provide staff facilities including offices, meeting rooms and a kitchen as well as a day room, laundry and training room for residents. It would also incorporate integral bin storage and cycle storage.

5 Consultations and observations of other officers

Adjoining occupiers consulted:

32 Neighbouring properties were notified by letter, site and press notices published. The overall expiry date was 10.10.24.

There have been no objections from neighbouring occupiers. The Nottingham Civic Society have raised concerns in relation to the scale and design of the originally proposed building, particularly in the context of nearby Locally Listed Public Houses. NCS suggest that retention and conversion of the existing buildings should be considered.

NCS is concerned that the 4 storied element of the building adjacent to the White Swan curtilage is too tall. Whilst some of the architectural approaches do work in the context of the locality, particularly the red brick facades with vertically orientated fenestration and slated pitched roofing, NCS considers that the steel cladding on Church Street dominates the facade to its detriment, whilst the appearance of the scheme in Alpine Street would be improved by the retention of the workshop building.

Additional consultation letters sent to:

Environmental Health and Safer Places: No objection received.

Health and Safety Executive (HSE): Awaiting response.

City Archaeologist: Given the extant building contains a basement within part of its footprint, (with the Lower Ground Floor plan as existing indicating that there is structure at lower ground floor level at the Church Street frontage) the potential for archaeological remains is significantly reduced.

No archaeological work is required in advance of determining this application. No archaeological work is required as a condition of planning permission.

Highways: No objection subject to conditions relating to construction management and works within the highway.

Drainage: Following receipt of an amended drainage strategy, the details are considered to be satisfactory.

Biodiversity Officer: The submitted Bat survey confirms that bats are unlikely to be present in the existing buildings, but the applicant should be made aware of their responsibilities should any be found during demolition. Bat and bird boxes should be provided within the new development. Details of plant species will be required by condition.

Planning Policy: The submitted evidence of marketing for employment use is sufficient to justify the loss of the employment premises in the context of policy 4 of the ACS.

Carbon Neutral Team: Offers support to the scheme on the basis that it would exceed the requirements of Building Regulations, would reduce CO2 emissions, would have no fossil fuel burners and would incorporate PV panels.

6 Relevant policies and guidance

National Planning Policy Framework (2024)

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

Paragraph 96 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 131 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 135 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 4 - Employment Provision and Economic Development

Policy 8 - Housing Size, Mix and Choice

Policy 10 - Design and Enhancing Local Identity

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 EE2: Safeguarding Existing Business Parks / Industrial Estates

Policy EE4: Local Employment and Training Opportunities

Policy HO4: Specialist and Adaptable Housing

Policy DE1: Building Design and Use

Policy DE2: Context and Place making

Policy TR1: Parking and Travel Planning

Policy EN2: Open Space in New Development

Policy EN6: Biodiversity

Policy IN4: Developer Contributions

Supplementary Planning Documents

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

7. Appraisal of proposed development

Main Issues:

- (i) Principle of Development and Impact on Amenity
- (ii) Layout, Design and Appearance

- (iii) Highways Impact and Access
- (iv) Planning Obligations

Issue (i) Principle of the Development and Impact on Amenity (Policies 1, 4 and 10 of the ACS, Policies HO4, DE1(2) and EE2 of the LAPP)

- 7.1 The existing buildings within the application site are located at the eastern edge of an allocated Major Business Park/Industrial Estate. Policy 4(h) of the Aligned Core Strategy concerns the re-use of employment sites and seeks to retain those of good quality or which serve a local need in employment use, whilst considering for release those that are of poor quality or do not serve a local need. The applicant has provided evidence of marketing of the premises for employment use. The properties were marketed for a period in excess of 12 months with no successful uptake and an assessment undertaken by the surveyor suggests that the current layout and condition of the property may not meet modern commercial standards when it comes to industrial/manufacturing uses.
- 7.2 The Planning Policy team have confirmed that the evidence provided is sufficient to justify the loss of the employment site in the context of Policy 4 of the ACS, particularly as it is on the edge of the allocated Business Park/Industrial Estate and on the opposite side of Church Street, such that it's loss would not be of any consequence to remaining employment uses. Whilst some employment uses remain to the north and west of the site, many of the original factory buildings have been converted to residential use.
- 7.3 the site falls within the Bar Lane Industrial Estate and as such, policy EE2 of the LAPP, which seeks to protect Major Business Parks/Industrial Estates, is applicable. Policy EE2 prohibits development other than employment uses and as such, the proposed development would be contrary to this. However, given that the proposals meet the exceptions set out within Policy 4 of the ACS, as set out above, the loss of employment land and consequential departure from Policy EE2 of the LAPP is considered to be justified in this instance. The proposed demolition of the buildings and subsequent loss of employment use on the site is therefore considered to be acceptable in principle.
- 7.4 The development would provide 20 self-contained studios and one-bedroom flats to provide supported living accommodation. Policy HO4 (Specialist and Adaptable Housing) of the LAPP states that 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.
- 7.5 The proposed residential units are one bedroom studios that are between 30 and 36sqm, which is smaller than the 37sqm minimum required by the Nationally Described Space Standards, although residents would also have access to a 30sqm 'Day Room'. 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 large enough to be NDSS compliant. However, notwithstanding this, officers have worked with the applicants to negotiate a revised, much improved layout which has increased the size of some of the units as well as improving outlook and increasing natural light within habitable rooms. Whilst the rooms would fail to comply with Nationally Described Space Standards and as such would not accord with Policy DE1 (2), the shortfall is considered to be acceptable for the specialist accommodation proposed, for the reasons set out above. A condition is recommended to restrict the occupation of the development to supported living only, to avoid occupation of the rooms as substandard Class C3 dwellings in the future.

- 7.6 Given the specialist nature of the accommodation, for which there is considerable demand, and the availability of shared facilities within the building, it is considered the future occupiers would have an acceptable standard of amenity.
- 7.7 There is no existing purpose-built housing of this nature in close proximity of the application site and as such the proposed development would not result in an over-concentration of similar uses in the area.
- 7.8 The site is considered to be accessible to public transport with bus stops immediately adjacent to the site and the Basford Tram stop approximately 300m away. The site is also close to amenities such as Basford Library and Vernon Park. There is a convenience store on Vernon Road and an Aldi supermarket approximately 800m away on Lortas Road.
- 7.9 The development would provide 24hour staff cover as well as controlled access and CCTV monitoring to ensure adequate safety and management facilities to avoid any detrimental impact upon the amenities of neighbouring occupiers. It is noted that no objections have been received in response to neighbour notification letters.
- 7.10 Overall, it is considered that the proposed development complies with Policies 1, 4 and 10 of the ACS and Policies HO4, DE1(2) and EE2 of the LAPP.

Issue (ii) Layout, Design and Appearance (Policy 10 of the ACS and Policies DE1(1) and DE2 of the LAPP)

- 7.11 The proposed development has been the subject of extensive discussions and negotiations to address original concerns relating to the layout and design of the building. Despite concerns raised by Nottingham Civic Society in relation to the proposed 4 storey height of the building, the proposed scale is considered to be acceptable within its context and the height proposed would sit comfortably in the streetscene due to the change in levels across the site and surrounding area. Whilst the building would be visible from the site of the White Swan to the south, it is not considered that it would be detrimental to its setting, particularly due to the intervening land (former carpark).
- 7.12 Amendments to the form and architectural detailing of the building, including the windows and materials, have been secured to improve its overall design and appearance. As amended, the building would bear similarities to the contemporary aesthetic of the recently approved residential scheme for 5 dwellings on the

adjacent site on Church Street, whilst also ensuring it enhances the strong historic character of the area through the use of traditional materials and architectural details. It is recommended that details of the external materials, including boundary treatments, be conditioned to ensure that they are of an appropriate finish that is in keeping with the character of the area.

- 7.13 Integrated bin and cycle storage is incorporated within the development and a condition to ensure these are provided, is recommended. In conclusion, the proposal therefore complies with Policy 10 of the ACS and Policies DE1(1) and DE2 of the LAPP.

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

- 7.14 The Highway Authority acknowledge that the intended occupiers of the proposed development would be unlikely to be car owners and as such, the absence of resident parking is acceptable in this instance. One off-street parking space is to be provided for staff, which has been re-orientated to a parallel position to ensure it would not overhang the public highway. The proposal would provide 20 cycle parking spaces within the building, to be accessed via Alpine Street. This equates to one per resident but given that 100% cycle ownership is unlikely, would also provide for staff and visitors.
- 7.15 Whilst there may be more than one member of staff or visitor in attendance at any time, the site is sustainably located on public transport routes and there is limited on-street parking available. On balance, it is considered that one parking space and the 20 cycle spaces proposed are sufficient provision and the proposal would not have a significant impact on highway safety. It would therefore comply with Policy TR1 of the LAPP. Appropriate conditions to deal with construction management and works in the highway are recommended.

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

- 7.16 A policy compliant planning obligation for the proposed development would be expected to provide a contribution of £34,172 to towards the provision or enhancement of off-site public open space.
- 7.17 The City Council have agreed to grant fund Framework £200,00 to aid in the delivery of the supported accommodation, for which there is an identified need in the City. This funding is being provided from previously acquired s106 contributions towards the provision of affordable housing.
- 7.18 The applicant has submitted a viability appraisal which shows that the scheme would not be viable without the grant fund provided by the City Council. Even with the grant fund, Framework's internal rate of return is lower than would normally be accepted by their board. Generally, Framework do not undertake projects which have an internal rate of return below their borrowing rate of 4.4%. However, on this occasion, the internal rate of return is 3.7%, which has been agreed as an exception by their board.
- 7.19 The viability appraisal shows that the scheme would not be able to support an open space contribution of £34,172 whilst retaining the internal rate of return of 3.27% (which, as detailed above is already substantially lower than the usual minimum rate of 4.4%). It is also the case that, as a charitable organisation, Framework do not seek to make a profit and that the viability appraisal does not include

contingency figures. The grant of £200,000 provided by the City Council comprises Section 106 Affordable Housing funding and it is not considered appropriate to effectively require this money back via a planning obligation, to be redirected to public open space.

- 7.20 On this basis it is considered acceptable in this instance to depart from policy IN4 and that no planning obligation be sought in respect of off-site public open space.
- 7.21 A similar logic can be applied to the requirement to provide a financial contribution towards Employment and Training. However, it is considered appropriate to secure employment and training opportunities during construction for specific user groups within the local community, which can be secured by way of a condition. It is considered that this would be sufficient to comply with Policy EE4 of the LAPP.

8. Sustainability / Biodiversity (Policies A, 1 and 17 of the ACS and Policies CC1, CC3 and EN6 of the LAPP)

- 8.1 Biodiversity value on the site is limited due to the extent of the footprint of the existing buildings (it is below the threshold for mandatory BNG requirements). However, the potential for roosting bats within the buildings is noted. The application is accompanied by a bat survey which concludes that the likelihood of roosting bats being present is low. However, the applicant should be aware of their responsibilities in the event that bats are found during demolition and a suitably worded informative on the decision notice is recommended in this regard. The plans have also been updated to include suitably located bird and bat boxes, which are welcomed. Planting is proposed within the landscaped areas of the site, specific details of which are to be requested by condition. The ecological enhancements proposed are considered to be sufficient to comply with Policy 17 of the ACS and Policy EN6 of the LAPP. A condition to secure the implantation of the agreed details is recommended.
- 8.2 The following sustainability measures are to be incorporated into the scheme:

Building

- Betterment (%) above Building Regulations – The scheme will achieve 30% betterment above part L Building Regulations
- BREEAM rating – Not applicable to residential buildings
- Renewable / low carbon energy – Heating and Hot Water to be via Electric and photovoltaic
- Photo Voltaic Panels (to south west roof slope)
- SUDs / water re-cycling – 18m³ of storage (SuDs) is to be provided for surface water attenuation
- Reduced water consumption - Water consumption is to be reduced to 110 litres per person/per day or less, through use of low flow sanitaryware, in line with Policy CC1 of the LAPP.

Transport

- Number of parking spaces – None (car free)
- Number of EVCPs – N/A
- Number of cycle parking spaces – 20

Waste

- Recycling facilities – Refuse store to hold 4 large bins with an appropriate proportion of these being for recycling.

8.3 The above is sufficient to comply with Policies A and 1 of the ACS and Policies CC1 and CC3 of the LAPP.

9 Financial Implications

For the reasons set out above, the planning obligations that are required by relevant Adopted Policies are to be waived in this instance.

10 Legal Implications

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

11 Equality and Diversity Implications

None.

12 Risk Management Issues

None.

13 Strategic Priorities

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.

14 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.

15 Value for money

None.

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

1. Application No: 24/00978/PFUL3 - link to online case file:
<http://publicaccess.nottinghamcity.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SEWGSQLYI4H00>

17 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)

National Planning Policy Framework (2024)

Contact Officer:

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Key



City Boundary

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Description

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City Council

My Ref: 24/00978/PFUL3 (PP-13124400)
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Date of decision:

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

Application No: 24/00978/PFUL3 (PP-13124400)
Application by: Mr Philip Collins
Location: 10 Alpine Street, Nottingham, Nottingham City
Proposal: Demolition of vacant factory and erection of 20 supported living units with associated ancillary communal and management facilities.

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 (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The CTMP shall as a minimum include details of the type, size and frequency of vehicles to/from the site, haul routes (if any), staff parking provision (including subcontractors), site security, traffic management plans, wheel cleaning facilities and measures to prevent the deposit of debris on the highway and a timetable for its implementation. Thereafter the CTMP shall be implemented in accordance with the approved details and timetable unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and the amenity of neighbouring developments in accordance with Policy 10 of the ACS and Policy DE2 of the LAPP.



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3. Prior to the commencement of above ground development details of all external materials shall be submitted to and approved in writing by the Local Planning Authority. This shall include specifications of all façade materials to be accompanied by 1:5 or 1:10 details annotating depths of reveals and treatment of material interfaces.

Thereafter, the development shall be implemented in accordance with the approved materials.

Reason: In order to ensure an appropriate quality of finish to the approved development and in accordance with Policy 10 of the ACS and Policies DE1 and DE2 of the LAPP.

4. Prior to the commencement of above-ground development a full detailed landscaping scheme, including specification of all hard and soft surfaces, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved scheme unless varied with the prior written consent of the Local Planning Authority.

Reason: To ensure that the appearance of the development will be satisfactory in accordance with Policy 10 of the ACS and Policies DE1 and DE2 of the LAPP.

5. Prior to the commencement of development, details of the surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

- (i) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required).
- ii) Full and appropriately cross-referenced supporting calculations.
- iii) Cross sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves for all hydrobrakes and other flow control devices.

Thereafter, the development shall be implemented in accordance with the approved materials.

Reason: To prevent the increased risk of flooding, both on and off site, by ensuring the satisfactory means of surface water attenuation and discharge from the site in accordance with Policy 1 of the ACS and Policy CC3 of the LAPP.

6. Prior to the commencement of above ground development, a detailed scheme for the maintenance and upkeep of every element of the surface water drainage system proposed on the site, shall be submitted to and approved in writing by the Local Planning Authority. The maintenance plan shall be carried out in full thereafter. This scheme shall include:

- (i) Details of the organisation or body that will be the main maintaining body, including SuDS features, with evidence that the organisation/body has agreed to such adoption.
- (ii) Details of a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used.
- (iii) A site plan including access points, maintenance access and associated operational areas, easements and outfalls.

Reason: To ensure that the drainage systems associated with the development will be adopted and maintained appropriately, to reduce the potential risk of flooding due to failure of the proposed drainage system in accordance with Policy 1 of the ACS and Policy CC3 of the LAPP.

7. Prior to commencement of development hereby permitted and unless otherwise agreed in writing by the Local Planning Authority, a Local Employment and Training Opportunities



Statement shall be provided to the Local Planning Authority for approval. This shall include details of how the applicant and their contractors will work with Nottingham Jobs , to deliver against the following targets:

- 75% of new vacancies created to be filled by residents of Greater Nottingham (4 FTEs/176 person-weeks)
- 5% of total FTEs are filled by Greater Nottingham residents aged 18-24. New-entrant trainees, apprenticeships to sector (3 FTEs/132 person-weeks)
- Equivalent of 10% of total FTE to engage with site via work experience /placement opportunities, site interactions to promote construction as a sector and as a career choice for all sections of the community (5 FTEs)
- Report overall labour usage on site (by postcode)

Thereafter, the construction phase of the development shall be carried out in accordance with the approved Statement.

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.

Pre-occupation conditions

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

8. Prior to the occupation of the development hereby approved, a Verification Report for the installed surface water drainage system for the site, based on the approved drainage details, shall have been submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority.

The details shall include:

- a) Any departure from the agreed design in keeping with the approved principles
- b) Any As-Built Drawings and accompanying photos
- c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
- e) CCTV confirmation that the system is free from defects, damage and foreign objects.

Reason: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site. in accordance with Policy 1 of the ACS and Policy CC3 of the LAPP.

9. No part of the development hereby permitted shall be brought into use until refuse and cycle storage have been provided in accordance with the approved details.

Reason: To promote sustainable forms of transport and ensure adequate bin and cycle storage is provided in accordance with Policies DE1 and TR1 of the LAPP.

10. Prior to the occupation of the development hereby approved, the ecological enhancements included on the approved plans, to include the provision of bird boxes and bat boxes, shall be implemented in accordance with the approved details.

Reason: To enhance the biodiversity value of the site in accordance with Policy 17 of the ACS and Policy EN6 of the LAPP.

11. The development hereby permitted shall not be occupied until all damaged or altered areas of public highway (including redundant vehicle/pedestrian accesses) have been reinstated to the



satisfaction of the Local Planning Authority.

Reason: In the interests of Highway Safety in accordance with Policy 10 of the ACS and Policies DE1 and TR1 of the LAPP.

Regulatory/ongoing conditions

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

12. Notwithstanding the approved details and unless otherwise agreed in writing by the Local Planning Authority, finished floor levels shall be set no lower than 150mm above adjacent ground levels.

Reason: To reduce the risk of flooding in accordance with Policy 1 of the ACS and Policy CC3 of the the LAPP.

13. The approved development shall not be used at any time other than for supported living accommodation with staff/communal facilities, falling within Use Class C2 of the Town and Country Planning (Use Classes) Order 1987 (as amended), 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.

14. 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 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 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:
Drawing reference PL07 revision Rev B, received 10 October 2024
Drawing reference PL08 revision Rev A, received 10 October 2024
Drawing reference PL09 revision Rev B, received 10 October 2024
Drawing reference PL06 revision Rev A, received 26 September 2024
Drawing reference PL05 revision Rev A, received 26 September 2024
Drawing reference PL02 revision Rev A, received 26 September 2024

Reason: To determine the scope of this permission.

Informatives



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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. Gates

No gates shall be erected at the vehicular access to the development from the public highway unless they are set back a minimum of 5.5 metres from the back of the public highway.

Gates, doors, boundaries, fixtures & fittings

No gates, doors, boundaries, fixtures & fittings shall open out or impinge into public highway, for the life of the development.

Highway licences & permits

The Highway Network Management Team at Loxley House must be notified regarding when the works will be carried out as disturbance to the highway will be occurring and licences will be required. Please email Highway.Management@nottinghamcity.gov.uk or call 0115 8765293.

S278 Agreement (Highways Act 1980) - required to carry out off-site highway works

To carry out the off-site highways works required, the applicant will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which the applicant has no control. To undertake any highway works you will need to enter into an agreement under Section 278 of the Act. The applicant must contact the Highway Agreements Team at their earliest opportunity via email at Highway.Agreements@nottinghamcity.gov.uk to instigate the process. All associated costs will be borne by the developer. We reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway.

Workplace Parking Levy (WPL)

If the applicant is modifying the number of on-site STAFF parking spaces because of this application, then under the Workplace Parking Levy (WPL) scheme, the applicant has an obligation to contact the WPL Team at wpl@nottinghamcity.gov.uk or phone on 0115 8765050. Further details available via the following link [Workplace Parking Levy - Nottingham City Council](#)

CONTACTS FOR HIGHWAY TEAMS

HighwaysDM@nottinghamcity.gov.uk - For general information on general highway aspects of this development.

Highways.Agreements@nottinghamcity.gov.uk - For information on S38 highway agreements for new adopted highways, S278 highway agreements for off-site highway works, technical assessments, commuted sums etc...

Highway.Management@nottinghamcity.gov.uk - For information on the Highway Network, temporary traffic regulation orders, highway licencing/permits, demolition & construction management etc...

Road.Safety@nottinghamcity.gov.uk - For information on Road Safety audits, latest accident data for Nottingham, current & proposed Road Safety schemes, junctions, crossings, speed limits, traffic calming.

Road.SafetyEd@nottinghamcity.gov.uk - For information on Road Safety Education including School road safety schemes etc...

FloodRiskManagement@nottinghamcity.gov.uk - For information on Highway Drainage.

Traffic.Management@nottinghamcity.gov.uk - For information on permanent traffic regulation orders such as parking, highway/traffic schemes etc...



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Utcadmin@nottinghamcity.gov.uk - For information on traffic signals, junctions, congestion and the movement of the highway network.

John.Lee@nottinghamcity.gov.uk or Adrian.Kasas@nottinghamcity.gov.uk - For information on public rights of way, footpaths, bridleways, byways etc...

IMPORTANT NOTES TO APPLICANT:

Any modifications required in the public highway are subject to technical approval as part of a SECTION 278 AGREEMENT, which is a separate legal process to the planning process.

All associated costs are to be met by the Applicant.

3. The reason for this decision, and a summary of the policies the local planning authority has had regard to are set out in the committee report, enclosed herewith and forming part of this decision.

4. The applicant should be aware that if at any point a bat is found then works must be halted immediately and a trained ecologist contacted for further advice.

If a bat is found under a roof tile or similar aperture, then the aperture must be carefully covered over (if the bat doesn't leave voluntarily) to keep the bat protected until the ecologist can come.

If a bat is found in a place where it is in harms way or is found injured, then the bat should be carefully placed in a ventilated box until an ecologist can come (bats should not be handled with bare hands as they can bite, so if a bat does need to be moved, this should be done with gloved hands).

Where a condition specified in this decision notice requires any further details to be submitted for approval, please note that an application fee will be payable at the time such details are submitted to the City Council. A form is available from the City Council for this purpose.

Your attention is drawn to the rights of appeal set out on the attached sheet.

RIGHTS OF APPEAL

Application No: 24/00978/PFUL3 (PP-13124400)

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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