

REPORT OF CHIEF PLANNER

Broadmarsh Car Park And Bus Station, Collin Street

1 SUMMARY

Application No: 17/02817/PFUL3 for planning permission

Application by: Leonard Design Architects on behalf of Nottingham City Council

Proposal: Provision of a new bus station and car park structure with commercial space (Use Classes A1, A2, A3, A4 and A5) and ancillary public facilities including travel centre and cycle services and a link footbridge.

The application is brought to Committee because it relates to a major development of critical significance to the City Centre where there are important land use, design, heritage and regeneration considerations.

To meet the Council's Performance Targets this application should be determined by 15th March 2018.

2 RECOMMENDATIONS

GRANT PLANNING PERMISSION subject to the conditions listed in the draft decision notice at the end of this report.

Power to determine the final details of the conditions to be delegated to the Chief Planner.

3 BACKGROUND

The site

- 3.1 The application site comprises the Broadmarsh multi storey car park and bus station, which is bounded by Collin Street, Middle Hill, Canal Street and Carrington Street. This is currently in the process of being demolished. It comprised a 1970s concrete and brick structure constructed contemporaneously with the Broadmarsh shopping centre, which is located immediately to the north. Prior to the commencement of demolition it housed a bus station and various ancillary facilities, on the ground floor with a car park providing 1179 spaces on the upper floors.
- 3.2 To the east is Middle Hill and the NET viaduct, beyond which is a site cleared for redevelopment. To the south are Canal Street and the Crown Court building. To the west is Carrington Street which is a mix of retail and office uses.
- 3.3 The west side of Carrington Street opposite the former Broadmarsh car park and the east side of Carrington Street, opposite the southern side of the former Broadmarsh car park, are situated within the Canal Conservation Area.

Context

- 3.4 The proposals for the Broadmarsh car park form part of a wider programme of works to transform the southern part of the City Centre, including a redeveloped Broadmarsh shopping centre and reconfigured road network, which it is anticipated will bring the following benefits:
- Boost the local economy by £1.1 billion per annum;
 - Create 2,900 more jobs (with local training and recruitment);
 - Attract three million more annual visitors to experience new retail, education, and leisure;
 - Restore the City Centre's profile and reputation;
 - Bring £25 million extra spend to the city per year;
 - Create a high quality modern car park for visitors to the City Centre;
 - Create a new education hub for Nottingham College;
 - Link this part of the City to the Castle, which will be transformed into a worldclass destination through a £24m scheme;
 - Create a high quality, modern Broadmarsh bus station.
- 3.5 The improvement of the Broadmarsh area is therefore a high priority for the City Council and is seen as vitally important to the successful future of the southern part of the City Centre. The new car park and bus station are an integral part of this transformation.
- 3.6 Planning permission (ref. 15/00950/PFUL3) has already been granted for a major refurbishment of the Broadmarsh shopping centre and a planning application by Nottingham College for an education hub on the site known as Broadmarsh East, is also under consideration on this Committee Agenda. Additionally there is a programme of wider initiatives to improve the environmental quality of the surrounding streets, to create better pedestrian priority and public realm. This will involve the pedestrianisation of Collin Street and Carrington Street, and the remodelling of sections of Canal Street and Middle Hill as shared spaces. Whilst these wider public realm proposals are being developed concurrently with the proposals for the former Broadmarsh car park site, they do not form part of these planning proposals but, rather, are the subject of separate legal processes under the Highways Act.
- 3.7 Planning permission was granted in 2016 (app ref 15/03034/NFUL3) for the refurbishment and redevelopment of Broadmarsh multi storey car park, including change of use and extensions to Carrington St and Collins St frontages to provide uses within Class A1- A5 (shops, financial and professional services, restaurants and cafes, drinking establishments and hot food takeaways) and ancillary public facilities; re-cladding of car park structure; reconfigure bus station layout and relocation of car park entrance to Middle Hill. The current application proposes an alternative, new build option.
- 3.8 Advertisement Consent was granted in 2017 (application ref 17/00216/ADV2) for three digital media screens to be added to the redeveloped Broadmarsh car park and bus station.

4 DETAILS OF THE PROPOSALS

- 4.1 Two applications have been submitted in relation to this development. The first, application ref. 17/02817/PFUL3, is for planning permission for the new bus station and car park structure with commercial space (Use Classes A1, A2, A3, A4 and A5) and ancillary public facilities including a travel centre, cycle services and link bridge.
- 4.2 The second, application, ref. 17/02819/ADV2, is for advertisement consent for the display of three digital media screens on the new Broadmarsh car park. This proposal is considered in the following report on the agenda.
- 4.3 Planning permission is sought for the redevelopment of the site of the Broadmarsh bus station and car park following the demolition of the existing structure, which is currently underway.
- 4.4 It should be noted that the proposals are part of a phased programme of works which are interlinked with the proposed pedestrianisation of Carrington Street and Collin Street, and alterations on Canal Street and Middle Hill. The submitted drawings indicatively show the changes to the surrounding streets but these are not part of this planning application and the design and layout of these is being developed as a separate project.
- 4.5 In more detail the scheme for which planning permission is sought comprises the following elements:
- 4.6 *Lower ground floor level* – Creation of an eleven bay bus station with associated concourse and ancillary facilities, and two commercial units on Carrington Street for uses falling within Classes A1 to A5. Two commercial units are also proposed within the concourse area. Pedestrian access points to the bus station are proposed from Carrington Street, Canal Street, the corner of Canal St/Middle Hill and from Middle Hill (via lift/stairs/escalators). The vehicular access to the bus station and the car park are located at the eastern end of the Canal Street frontage of the building.
- 4.7 *Upper ground floor level* – Three further commercial units for uses falling within Classes A1 to A5 are proposed on the north side of the carpark, one at the corner of Carrington Street and Collin Street and two facing Collin Street. A cycle hub is also proposed at this level which would be directly accessed from Collin Street., along with a Shopmobility facility.
- 4.8 *First to eight floor levels* – These would comprise car parking. At second floor level a link bridge is proposed connecting the car park and the Broadmarsh shopping centre.
- 4.9 The total amount of commercial floorspace proposed is 2106 sq m. The proposed number of car parking spaces is 1373 (an increase of 194 spaces).
- 4.10 The appearance of the building is based upon a metal frame with curved corners that would be clad with terracotta rain screen cladding. The precise colour of the cladding is yet to be determined but it is intended to reflect the materials used on buildings in the vicinity. At the car park levels the terracotta clad framework would be infilled with hit and miss opaque structural glass with metal cladding set behind, which enables the car park to be naturally ventilated. The car park ramps on the Canal Street elevation project as curved features which would be clad with vertical

terracotta fins. The street level frontages to Carrington Street, Collin Street and Canal Street, and the northern and southern ends of the Middle Hill frontage, comprise clear glazed curtain walling systems. Three full motion digital media screens are also proposed to be integrated into the building. These would comprise one curved screen on the Carrington Street/Collin Street corner, one screen towards the western end of the Canal Street elevation and one screen on the northern end of the Middle Hill elevation.

- 4.11 The upper level of the car park is proposed to be set back from the edges of the building on the Canal Street and Middle frontages and would be enclosed by a metal cladding system. A lightweight roof is proposed over this which would accommodate photovoltaic panels.
- 4.12 The design and appearance of the link bridge across Collin Street is yet to be developed and the details of this would be subject to further approval by condition.

5 CONSULTATIONS AND OBSERVATIONS OF OTHER OFFICERS

Adjoining occupiers consulted:

The occupiers of properties surrounding the site have been notified of the application and it has been advertised on site and in the press. The expiry date for comments was 24.01.2018.

In response, 13 comments from citizens have been received. The comments received comprise 5 general/supportive comments, but raising some queries/issues, and 8 objecting. The comments are summarised as follows:

Supportive/general comments:

- Removal of footbridges over Collin Street has created unhindered view of the Castle which enables appreciation of the strategic and cultural importance of the Castle in Nottingham's history and would be a retrograde step to rebuild;
- Proposals should greatly improve the appearance of car park and public realm aspects of the proposal;
- Has a screening assessment been undertaken as would expect a development of this size to require an Environmental Assessment?;
- Transport Assessment is too narrow as it only assesses the new entrance to the car park –the submission of applications in phases means that the planners and members of the public cannot view or comment on the bigger picture and this needs to be rectified;
- Would it be possible to build a tower to offer a bird's eye view of the City?;
- A "smart car park" should be constructed within the development (reference to an Indian automated car parking system);
- Welcome new plans and want to see new development on this neglected part of the City – City is lagging behind in retail and business opportunities and this would be a big step forward;
- Transport Statement raises a number of issues not sufficiently detailed or not identified – suggests a segregated cycle path instead of shared bus and cycle priority on Canal St, no specific amount of secure/guarded cycle spaces specified, require a high quality cycle parking facility, has adequate modelling of entry barriers been undertaken? No mention of whether bus/coach station will be able to accommodate inductive/fast charging buses in the future, pedestrian crossings too close to junction at Middle Hill/Canal St, Middle Hill footways look too narrow. Concludes that published

documents are not of sufficient quality or scope to address all the potential issues surrounding this development;

- Generally impressed with the plans but disappointed that there appears to be no provision within the car park for motorcycle parking – although travelling by motorcycle is not as sustainable as walking, cycling or public transport, less pollution than car use and causes less congestion.

Objections:

- Reflection as to why as a society we would wish to replace one dreadful car park with another – could be a green space for people to relax etc whilst enjoying open vista of Castle Rock and provide green lungs on southern part of the city centre;
- New car park would be an eye sore and a poor use of space – should be investing in public transport, location is ill advised as Broadmarsh has few shops in it, would result in more pollution and road accidents. Site should be turned in to a green area;
- Supportive of development but concerns that the new car park would block out more views of the Lace Market area when approaching the City Centre from the south – car park height should be lowered;
- Strategic objective of this building acting as a suitable gateway far from been met;
- Alternative site layouts have not been considered and there has been no public consultation on this new design;
- Proposed building is not of a suitable design standard to be worthy of a 'gateway to the city', will be a monolithic building – should be a building of outstanding architectural quality;
- Suggestion that footprint of building should be altered to significantly increase width on Carrington Street and close off Collin Street to make a large public square which would be a welcoming "gateway" to the City Centre;
- Collin Street is already a canyon and this proposal would make it worse;
- Would not activate Carrington St, Collin St and Canal St;
- Does not comply with all relevant planning policies but in any event Planning Committee should ensure that something better is achieved for Nottingham than simply satisfying policies;
- The design blocks views of Nottingham's heritage and no assessment of impact upon view of Council House;
- No justification for increase in car parking numbers and could argue less spaces required taking into account the excellent transport connections;
- Would not integrate well with Broadmarsh shopping centre.

Environmental Health and Safer Places: No objection. Plant, air handling units and extraction from the food premises proposed have the potential to cause noise and odour nuisance to neighbouring businesses. Recommend conditions regarding extraction equipment to avoid odour nuisance to address this. Development will increase the amount of car parking spaces and according to the Transport and Infrastructure report there will be an increase in journeys to the site. As the application site is within an Air Quality Management Area recommend a condition requiring the submission of an Air Quality Assessment. Also, require an environmental noise assessment and any necessary mitigation measures to address noise from plant and air handling equipment.

Highways: No objection subject to conditions requiring the submission of a

construction management plan and a car parking management plan, details of sight lines at vehicular access points, details of the car park barrier position, details of the provision to be made for cycle and powered two wheeler parking, and disabled parking bays.

Historic England:

- Supportive of the demolition of the existing building which did not contribute positively to the townscape nor provide an attractive visitor gateway into the city centre. Welcome the City's commitment to address this and provide a new, high quality transport interchange.
- In such a key location, recognise the redevelopment opportunities the application site presents and how this new building can help transform and enliven this part of the city centre. In doing this, it is important that the design response forms an integral part of the wider programme of transforming this area with the major refurbishment of the Broadmarsh and the City Hub project.
- Remain unconvinced by the retention a new footbridge over Collin Street as believe activity needs to focus at ground level. If this part of the scheme is justified, strongly recommend the footbridge is transparent in design and materials and of high quality.
- The proposed height and massing will give the building a strong presence and there is no objection to this. However, concerned about the impact of the structure on the view and appreciation of the grade II* listed Council House dome from Carrington Street. The Council House is a highly significant historic landmark within the city. Its presence in views adds legibility within the street and forms part of the character of the city skyline. It is unclear what impact the new building will have on the view and recommend further information is submitted to show the impact and, if the view is obscured, how the design can be adapted further. Whilst supportive of sustainable energy, recommend the photovoltaic panels are positioned to minimise their visibility.
- Given the large areas of public realm being created, believe there are opportunities particularly along Collin Street to enliven and interact with the expanse of public realm. This could be achieved by extending the building line further into the public realm and exploring how the Collin Street elevation could be further articulated to emphasise the ground floor retail activity.
- Strongly recommend the highest quality of materials and are encouraged by the design approach in this regard. The principle of using terracotta cladding and brick with large areas of glazing is welcomed. It is critical that the scheme is not compromised by poor quality detailing, materials and finishes and that the materials will help to break down the massing and create interesting forms within the townscape and on the skyline.
- Overall, supportive of the redevelopment of this site and appreciate the challenges of designing a building which accommodates the transport interchange, retains car parking within the city centre, and creates a building which responds positively to the public realm. The inclusion of retail units is positive, and with a strong and enlivened building form believe this could be maximised to extend and spill out in the surrounding spaces. Recommend further work is undertaken to analyse any potential visual impact of the scheme on the view of the Council House and how the building can be adapted to retain this view.

City Archaeologist: No objection. The site lies within the City Centre and Nottingham Canal Archaeological Constraint Area, which represents the historic core of the city. There is the potential for important archaeological remains to exist

within the site, and these may be impacted by the proposed development and as such an archaeological evaluation should be required as a condition of planning permission. Therefore recommend a programme of archaeological works, based upon a Written Scheme of Archaeological Works, is required as a planning condition.

Conservation Officer: Overall the scheme is a welcome addition to the Southern Gateway environs and will enhance the setting of the heritage assets around it. However has some minor concerns:

- Proposed integration of media screens has the potential to be overly eye catching and recommends brightness levels and non-moving images should be secured by condition;
- Pedestrian link bridge detracts from evocative and useful view of the Castle rock which is a useful wayfinding aid. Pedestrian environment proposed to be created now makes a link bridge unnecessary and the heritage and townscape benefits of omitting it outweigh any benefits of re-instating it.

Environment Agency: No objection. The site is located within a high risk flood zone but as the proposal is for a re-development of the existing site have no objections to the development. Recommend conditions requiring that the development be carried out in accordance with the Flood Risk Assessment and the submission of a remediation strategy to prevent pollution of controlled waters.

Biodiversity and Greenspace Officer: Notes that soft and hard landscaping are key aspects of the design, however, no landscaping proposals have been submitted. Consider this information is a key in assessing the appropriateness of the design and that details should therefore be considered before making a decision on the application. Development of both the car park and the shopping centre offer a great opportunity to add green space and planting to this part of the City. No ecological enhancement measures are included in the submitted Preliminary Ecological Appraisal and should be looking at the potential for enhancements. Queries whether there would be potential to create a small sedum roof on one part of the roof or whether there is scope to share the roof space with a nutrient-poor substrate, incorporated as well or instead of some PV panels to create a sedum/brown-roof.

Tree Officer: No objection. There are 5 street trees on Carrington St. It appears 2 and preferably 3 of these will be now retained within the improved public realm. The 3 losses will have to be replaced by 6 new trees. Notes that new trees in public realm hard standing will only be sustainable if an engineer has specified the underground in accordance with current good practice.

Nottingham Civic Society: Generally welcome the proposals which improve the way the car park and bus station building would address the streets around it. Doubt whether the pedestrianisation of Collin Street can result in a successful public space because the new café/restaurant units will be north-facing and any outdoor seating provided to colonise the edge of the public space would be in the shadow of the car park itself for long periods. The lack of ambition of the 'Intu' promoted shopping centre redevelopment results in its failure to solve the problem of level access to potentially more attractive south-facing commercial space which could deliver active frontages and commercial bustle in the Collin Street space. The re-erection of a high level bridge from the cinema to the new car park robs the public space of the community safety benefit of people returning to their cars

through the Collin Street space later in the evening. As the high level bridge is evidently no longer necessary for pedestrian safety, it should be deleted from the car park scheme altogether because it interrupts a view of Nottingham Castle seen along Collin Street. This new view would give a focus to the new public space and enhance Nottingham's tourism offer by connecting views of the Castle from the Lace Market and vice versa.

The Civic Society objects to this application unless the unnecessary bridge is deleted from the scheme.

Design Review Panel (06.10.2017)

Welcome the plans to transform and modernise the Broadmarsh car park and bus station given its current very run down state, and how it poorly relates to its wider context, creating major problems of blight at the southern entrance to the city centre. Support demolition and rebuild given the importance of this site as an integral part of the broader transformation of the southern part of the city centre, making it a highly important site to get right. Agreed on the overall design approach adopted, though there are elements that could benefit from further consideration as follows.

Relocation of the car park and bus station entrance - Moving the bus station entrance further along Canal Street offers the building and the street as much active frontage as possible, but this together with the relocation of the car park entrance to Canal Street and the roads remodelling as a shared space creates a potential conflict of activity with pedestrians on the south east corner. Understand significant traffic and movement analysis has been undertaken to inform this decision, however, with all vehicular circulation coming in and out of the same corner there is concern it will create an area to be avoided by pedestrians.

External appearance - With the building fronting a large area of public space, the space requires a dominant and imposing building. Suggest the need for the building to have more impact, particularly drawing attention to the articulation on the Collin Street elevation. Emphasising the ground floor retail activity of the elevation may help the structure read more strongly in the street scene.

Materials palette - Quality of the materials used will be key to the success of the building's appearance, with a high standard expected. The terracotta cladding should more closely reflect the colour of the surrounding contextual buildings along Carrington Street. The glazing approach adopted for the upper part of the new car park building with the infill of some opaque glazing panels again offers a considered design solution.

Carrington Street and Collin Street retail units - Welcome the activation of the Carrington Street and Collin Street elevations with the introduction of retail units, with the high shop fronts to bring a strong active frontage on the ground floor. These units will offer a significant role in revitalising these streets, so it is fundamental that the elevation interacts with the street. Therefore, with large areas of public realm to activate, particularly the wide Collin Street, the Panel suggest extending the units out more into this space with pop out shop fronts or alternatively cafe spill-out spaces. Also with the adjacent blank wall of the Broadmarsh Shopping Centre offering little in activating the public realm, the potential for the introduction of retail kiosks is worth exploring. It is understood that it is necessary to retain the change of levels on Carrington Street to maintain level access into the bus station but this change in levels would need to be carefully handled.

Height and massing - The Panel are generally comfortable with the size of the building and the proposal to add another level to the car park. The main issue of concern is about the impact the new structure will have on the view of the Council House dome from Carrington Street. As a clear landmark in the skyline, best

attempts should be made to try to retain the view. Advise assessing the impact the scale of the new building with its addition of another floor will have on this vista, with modelling analysis recommended, and if need be look at pulling the building further back in this location.

Link bridge - Would have liked to have seen the removal of the bridge over Collin Street, but acknowledges that the requirements of Intu mean that a link bridge between the new cinema and the car park is to remain. The Panel therefore urge that the quality and transparency of the design be improved.

Ventilation of the car park - Extremely disappointed with the suggestion that the building be mechanically ventilated given the City's green agenda. Advise that consideration be given to the building's sustainability credentials, should engineer out mechanical ventilation and adopt a more sustainable option. The suggestion of whether the upper glazing could incorporate gaps to allow for some natural ventilation should be explored.

Overall conclusions - Supportive of the proposal, welcoming the redevelopment of the car park and how it will activate the public space around it. Inclusion of the retail units will introduce much needed active frontages to the building. However, the potential these units have to connect with and activate the public space they front should be fully realised through optimising the opportunities to extend and spill out into the surrounding spaces to create a much needed sense of place, with a strong building form which frames the streets and holds a strong presence in the street scene.

The success of the building will rely on how well it relates to these spaces and the quality of its build, with careful attention to be given to the change of levels on Carrington Street, and well considered material selection to ensure the tone of the terracotta cladding complements the terracotta brick of the Carrington Street buildings.

The Panel have no major concern with the massing of the building or the addition of the extra floor, though work to analyse any potential visual impact on the view of the Council House dome on the Carrington Street approach should be undertaken and the building pulled back as necessary to protect the vista. Also more thought should be given to the south east corner of the building, to ensure this does not become a vehicle dominated area avoided by pedestrians. Activating the surrounding spaces with pedestrian activity is vital, and in this regard if ever there is the opportunity to remove the Collin Street link bridge then this should be acted upon to draw people onto the streets below. Strongly stress the need for more consideration to be given is to the plans to mechanically ventilate the car park building. A more sustainable option is strongly encouraged which does not contradict the city's work on achieving a greener city.

6 RELEVANT POLICIES AND GUIDANCE

National Planning Policy Framework

- 6.1 The NPPF emphasises the important role that planning plays in delivering sustainable development. Paragraph 7 explains that key to this is building a strong responsive and competitive economy, supporting strong, vibrant and healthy communities by creating high quality built environments with accessible local services that reflect the communities needs and which supports its social wellbeing by protecting and enhancing the natural, built and historic environment.
- 6.2 Paragraph 14 states that there is a presumption in favour of sustainable development and that development should be approved, without delay, where it accords with the development plan.

- 6.3 Paragraph 17 sets out the core planning principles, many of which apply to the proposed development. They include, amongst others, the requirements to proactively drive and support sustainable economic development; secure high quality design; support the transition to a low carbon future, taking full account of flood risk and encouraging the reuse of existing resources and the use of renewable resources; contribute to reducing pollution; and managing patterns of growth to make the fullest use of public transport, walking and cycling and to focus significant development in locations which are or can be made sustainable.
- 6.4 Paragraph 23 sets out the approach to ensuring the vitality of town centres. It recognises town centres as the heart of their communities and advises policies should be pursued to support their viability and vitality. It promotes competitive town centres that provide customer choice and a diverse retail offer and which reflect the individuality of town centres. A range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential development needed in town centres should be allocated.
- 6.5 Paragraph 56 attaches great importance to the design of the built environment and states that good design is a key aspect of sustainable development, indivisible from good planning. Paragraph 58 encourages developments to establish a sense of place, using streetscapes and buildings to create attractive and comfortable places to work. It advises further that developments should function well and add to the quality of the area over the lifetime of the development. Paragraph 61 states that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.
- 6.6 Paragraph 67 states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.
- 6.7 Paragraphs 128 and 129 consider the requirement to conserve and enhance the historic environment when determining planning applications. It is advised the applicant should describe the significance of any heritage assets affected, including any contribution made by their setting. Local planning authorities are required to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset). This assessment should take into account the need to avoid or minimise conflict between the heritage assets conservation and any aspect of the proposal.

Annex 1 states that the NPPF aims to strengthen local decision making and reinforce the importance of up-to-date plans. For the purpose of decision-taking, the policies in the Local Plan should not be considered out-of-date and are to be afforded weight in accordance with their conformity with the NPPF.

Nottingham Local Plan (November 2005):

S1: New retail development in the City Centre

S7: Food and Drink

BE10: Development within the curtilage, or affecting the setting, of a listed building

BE12: Development in Conservation Areas

BE16: Archaeological constraints

BE19 Advertisements

NE3: Conservation of species

NE5: Trees

NE9: Pollution

NE10: Water quality and flood protection

T1: Location of development and sequential approach

T3: Car, cycles and servicing parking

T5: Car parking

T7: Major development and public transport

T15: City Centre car parking

Aligned Core Strategy (2014)

Policy A: Presumption in Favour of Sustainable Development

Policy 1: Climate Change

Policy 4: Employment Provision and Economic Development

Policy 5: Nottingham City Centre

Policy 10: Design and Enhancing Local Identity

Policy 11: The Historic Environment

Policy 14: Managing Travel Demand

Policy 17: Biodiversity

Nottingham City Centre Urban Design Guide (May 2009)

This guide provides a physical framework and promotes the highest standard of urban design and architecture for the city centre. The Broadmarsh development

site falls within the area identified as the 'zone of reinvention' which is defined as areas in which the urban form is largely beyond repair. Broadmarsh is specifically identified as being reinvented through the proposals for the shopping centre and its surroundings.

Broadmarsh bus station and car park development brief (June 2017)

The development brief was prepared to guide development proposals for the Broadmarsh bus station and car park site. The brief sets out a vision for the area, identifies constraints and opportunities and establishes a set of design principles to guide the form of the development.

7. APPRAISAL OF PROPOSED DEVELOPMENT

Main issues

- (i) Land use and impact upon the southern gateway of the City Centre;
- (ii) Design and layout, including impact upon the character and appearance of the adjacent Nottingham Canal Conservation Area and listed buildings;
- (iii) Traffic and transport

(i) Land use and impact upon the southern gateway of the City Centre (Local Plan policies S1 and S7 and Aligned Core Strategies policies A, 4 and 5)

- 7.1 The proposals for the redevelopment of the Broadmarsh bus station and car park are part of the wider proposals to transform the southern part of the City Centre as set out in paras 3.3 - 3.5. The redevelopment of the Broadmarsh bus station and car park is a high priority for the City Council and is seen as vitally important and an integral part of the successful future of the southern part of the City Centre.
- 7.2 The former bus station and car park building was an unattractive and tired feature on the main pedestrian route between Nottingham Station and the City Centre and did not contribute positively to the townscape, or provide an attractive visitor gateway into the City Centre.
- 7.3 The current proposals seek to repair this harm by creating a building of strong architectural quality that incorporates a safe and modern bus station, an attractive and user friendly multi storey car park, new commercial units to bring much needed activation to the surrounding streets, and improved pedestrian connections between the station and City Centre, which would be integrated into the wider public realm changes and proposals for the redeveloped Broadmarsh shopping centre. In such a key location the opportunities presented by the proposed redevelopment are significant with the new building helping to transform and enliven this part of the City Centre.
- 7.4 The proposed bus station and car park, together with complementary facilities, are key town/city centre uses. The uses proposed for the commercial units, Classes A1 - A5 (shops, financial and professional services, restaurants and cafes, drinking establishments and hot food takeaways), are entirely appropriate for the City Centre.

7.5 The improvement of the Broadmarsh area is vitally important to the future success of the City Centre and the redevelopment of the former bus station and car park is a key element in the overall strategy of ensuring that this area is successfully regenerated.

7.6 In conclusion on this matter it is considered that this proposal accords with the Local Plan policies S1 and S7 and the Aligned Core Strategies policies A, 4 and 5.

(ii) Design and layout, including impact upon the character and appearance of the Canal Conservation Area and surrounding listed buildings (Local Plan policies BE10 and BE12 and Aligned Core Strategies policies 10 and 11)

7.7 The proposed footprint, mass and scale of the building are in a similar form to the previous building it is to replace, although there are some significant differences. These include an additional set back storey to provide an increased number of car parking spaces, the re-alignment of the Carrington Street frontage and extending southwards on the Canal Street frontage. The footprint, scale and mass are generally considered to be acceptable in the immediate context. However, an effect of the first two of these changes, which has attracted comment from both Historic England and Design Review Panel, is the impact on the view of the Council House dome from the west side of Carrington Street. Further work is being undertaken to assess this aspect which will be reported in the Update Sheet. It is acknowledged that the Council House dome is a significant landmark in the City and that the proposed building would obscure it from a certain vantage point on Carrington Street. However, assessment thus far indicates that the impact of the development on this very specific view of the dome would constitute less than substantial harm to a heritage asset, and that the overall public benefits which would accrue from the development as a whole, would outweigh this harm.

7.8 The commercial units proposed on Carrington Street and Collin Street would bring much needed activation to the street edges, representing a significant beneficial change in comparison with the building it is to replace. The inclusion of the commercial units is inextricably linked to the wider public realm proposals for the pedestrianisation of Carrington Street and Collin Street. Entrances to the bus station and car park are also proposed from Middle Hill, the corner of Middle Hill/Canal Street, Canal Street and Carrington Street. Where possible these are level and have been designed to be clear and legible to make wayfinding easy. Some concerns have been expressed as to whether the area around the southeastern corner of the building would be unattractive to pedestrians given the proposed location of the access points to both the car park and the bus station at this point. However, this is considered to be the least harmful position for them to be located and furthermore, the detailed design work for the wider road space transformation will seek to ensure that this issue is successfully addressed.

7.9 The application site is in a prominent location on the approach to the southern edge of the City Centre and it is therefore crucial that the quality of the proposed building is commensurate with the importance of the site. The functional design of the building, elevational treatment and choice of materials have been the subject of a lengthy iterative process, including consideration by the Design Review Panel, who welcomed the principle of this large and imposing building.

7.10 The design proposed is for a contemporary building involving the use of good quality materials. The structural metal framework is proposed to be clad with terracotta with the colour palette reflecting the materials used in the immediate

vicinity on the west side of Carrington Street, which is within the Nottingham Canal Conservation Area. The building's four elevations are all visible from the public domain and it is considered that the approach adopted to each of these provides the required activity, articulation and verticality. The three digital media screens to be integrated into the building are each on an appropriate scale and position, and would add further vibrancy to both the building and its surrounding environment.

- 7.11 It is a pre-requisite that the quality of the materials should be carried through to construction for the building to be successful and to be sensitive to the neighbouring conservation area. The submission of full details of the materials are therefore to be required by condition. Large scale details of the elevations are also to be required by condition to ensure that the necessary quality is achieved.
- 7.12 The recent removal of the pedestrian footbridges over Collin Street as part of the Broadmarsh bus station and car park demolition has drawn attention to the view of the Castle Rock from Collin Street and the tram viaduct, and as a result a number of comments have been received objecting to the replacement footbridge. In response it should be noted that this is a long-standing commitment regarding the redevelopment of the shopping centre, and that its' retention was approved as part of the proposals for this adjacent, inter-connected scheme. A condition is proposed requiring full design details of the bridge and the opportunity now exists, following demolition, for a high quality, lightweight structure.
- 7.13 The replacement bus station and car park has been developed in the context of the proposed pedestrianisation of Carrington Street and Collin Street, the removal of through traffic from Canal Street and the creation of a "shared space" environment. The detailed design work for the new public realm is progressing as a separate project. However, given that the City Council is responsible for the both the Broadmarsh bus station/car park and public realm schemes, the two will be fully integrated.
- 7.14 One objector has proposed an alternative design approach that they believe would deliver significant benefits in comparison to the application scheme. However, the current proposal is the one that is the subject of a planning application and accordingly, must be assessed and considered on its own particular merits.
- 7.15 The planning application has been advertised on the basis of its possible effect on the setting of the Grade II* listed Castle and Council House. Regarding the former, this aspect has been given due consideration and the conclusion reached that the proposals would not affect its setting. Assessment of the impact on the setting of the Council House has been set out at paragraph 7.7 and will be expanded upon further in the Update Sheet.
- 7.16 Overall, the proposed development is considered to be acceptable in terms of its layout, scale, mass, design and external appearance and would significantly enhance the built environment of this part of the City Centre, and the character and appearance of the Canal Conservation Area. Local Plan policies BE10 and BE12 and Aligned Core Strategies policies 10 and 11 are therefore satisfied.
- 7.17 A number of the comments raised relate specifically to changes proposed to the surrounding public realm. These are not for consideration as part of this planning application but the comments received have been forwarded to the team responsible for developing and delivering this project.

(iii)Traffic and transport (Local Plan policies T1, T3, T7 and T15 and Aligned Core Strategy policy 14)

- 7.18 The application site until recently comprised a bus station and car park and the proposal is essentially to replace those with the same, both designed to meet current and future requirements for public transport users and those visiting the City by car. It is also intended to provide facilities for cyclists in the form of a cycle hub, parking for powered two wheelers and a new Shopmobility facility within the development. In response to a query from a citizen regarding future proofing, it has been confirmed that the bus station will be designed to accommodate rapid charging points for electric vehicles. The proposals do result in an increase in the number of car parking spaces by 194, to 1373, but it should be noted that of these, approximately 63 spaces with charging points for electric vehicles and a substantial number of spaces are provided for disabled parking and parent and child parking.
- 7.19 A Transport Statement has been submitted with the planning application and following assessment of this, Highways have not raised any objections to the proposals. Conditions are proposed requiring the submission of details of the cycle hub, parking for powered two wheelers and disabled parking bays. Local Plan policy 15 requires that new car parks in the City Centre should be limited to short or medium stay use to encourage adequate car parking for visitors and shoppers. It is anticipated that the main use of the new car park would be orientated towards shoppers and leisure users, particularly following the refurbishment and expansion of the Broadmarsh Centre. A condition is proposed requiring the submission of a car park management plan to enable further control of this matter.
- 7.20 Specifically with regard to one query in relation to modelling of the car park access, it has been confirmed that this has been undertaken and that there is flexibility in the design. It is proposed there will be four entry/exit barriers and that these will be designed to allow configurations of 3/1, 2/2, 1/3 in terms of the entry/exit ratio.
- 7.21 A number of the comments raised by individual citizens relate specifically to changes to the surrounding public realm and consequent changes to the highway network, with the comment that it is not possible to properly consider this planning application without the full information about the bigger picture. However, as confirmed by Highways, it is considered that sufficient information on the transport impacts has been provided to enable the impacts of the development on the highway network to be properly assessed and considered.
- 7.22 Once again comments received regarding wider road space/pedestrianisation changes have been forwarded to the team responsible for developing and delivering this project.
- 7.23 Local Plan policies T1, T3, T7 and T15 and Aligned Core Strategy policy 14 are therefore satisfied.

OTHER MATTERS (Local Plan policies S7, NE9, NE10, BE16 and T3 and ACS policy 10)

Impact upon amenity

- 7.24 The scale, mass and footprint of the proposed building, when compared with the former Broadmarsh bus station and car park, are comparable in general terms, although it is recognised that the proposed building is taller. However, having

regard to the nature of the buildings surrounding the site, which do not contain any residential use and are separated from the site by roads of generous scale, it is not considered that the proposal would significantly alter the physical impact of a building on this site upon the occupiers of the adjacent premises.

- 7.25 The uses proposed for the new retail units, falling within Classes A1-A5, are compatible with the City Centre location. The conditions recommended by Environmental Health and Safer Places regarding extraction equipment and noise from plant and air handling equipment would ensure that there are no noise or odour issues for nearby occupiers.

Flood risk/drainage

- 7.26 As requested by the Environment Agency, conditions are proposed requiring the development to be undertaken in accordance with the submitted flood risk assessment.

Contamination

- 7.27 Conditions are recommended to ensure that there is no contamination of ground water, as required by the Environment Agency.

Archaeology

- 7.28 A condition is recommended to ensure that any archaeological remains affected by the development are properly investigated and recorded.
- 7.29 Local Plan policies S7, NE9, NE10 and T3 and ACS policy 10 are therefore satisfied.

8 SUSTAINABILITY / BIODIVERSITY (Local Plan policy NE3 and NE5 and Aligned Core Strategies policies 1 and 17)

- 8.1 The proposals involve the use of the lower level of the building as a bus station serving both local and national bus services, encouraging the use of public transport. The proposals also provide facilities for cyclists and encourage more walking as a result of the development being better integrated into surrounding streets, which are to be made pedestrian friendly.
- 8.2 The design of the glazing system to enclose the car parking levels of the building is partially naturally ventilated through the use of a hybrid assisted natural air and mechanical extraction system. The glazing will also allow daylight to permeate the edges of the car parking area. It is proposed that the car park will utilise low energy lighting systems. The roof area of the development provides the opportunity for the installation of photovoltaic panels generating low or zero carbon energy. It is also proposed that the building (excluding the bus station and car park) will exceed the requirements of Part L2A of the Building Regulations.

Trees

- 8.3 There are currently five trees on Carrington Street which are within the application site but on the public highway. Two of these, and possibly three, can be retained within the altered public realm. A condition is imposed to ensure that these are adequately protected during the construction period.

Biodiversity

- 8.4 It has been identified that the submission does not include any ecological enhancement measures and that no details of landscaping are indicated. The Biodiversity and Greenspace Officer has queried whether there is a possibility of incorporating a green/brown roof into the building. However, the roof structure is designed to be lightweight and only adequate to support the photovoltaic panels. With regard to landscaping, it is anticipated that these will be significant planting as part of the pedestrianisation of Carrington Street and Collin Street, which will bring ecological benefits in addition to enhancing the setting of the building.
- 8.5 Local Plan policy NE3 and NE5 and Aligned Core Strategies policies 1 and 17 are therefore satisfied.

Other

- 8.6 One citizen has queried whether the application should have been accompanied by an Environmental Assessment. The proposal has been screened in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and an Environmental Assessment is not required.

9 FINANCIAL IMPLICATIONS

None.

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

Provision of accessible buildings.

12 RISK MANAGEMENT ISSUES

None.

13 STRATEGIC PRIORITIES

The proposal addresses the following corporate themes:

World Class Nottingham: As part of the works to transform the southern gateway of the City Centre.

Work in Nottingham: Opportunity to secure training and employment for local citizens through the construction of the development

Neighbourhood Nottingham: Redevelopment with a high quality development

14 CRIME AND DISORDER ACT IMPLICATIONS

Improved surveillance and community safety.

15 VALUE FOR MONEY

None.

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

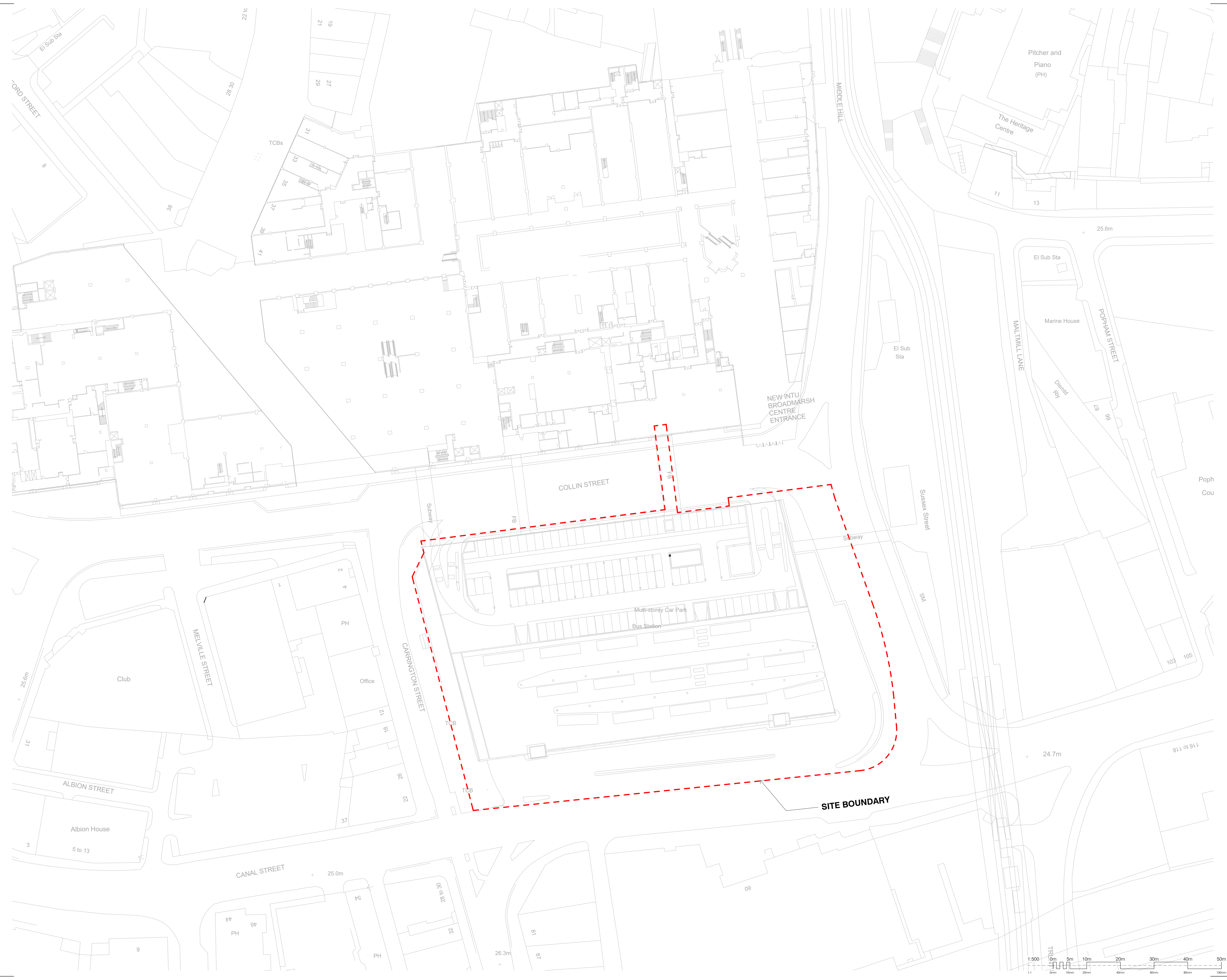
1. Application No: 17/02817/PFUL3 - link to online case file:
<http://publicaccess.nottinghamcity.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=P0XVGXLYJ8D00>
2. Email dated 25.01.2018 from Environmental Health and Safer Places
3. Email dated 14.12.2017 from Drainage
4. Email dated 23.01.2018 from the Tree Officer
5. Email dated 15.01.2018 from Biodiversity and Greenspace Officer
6. Comments from Highways dated 19.01.2018
7. Letter dated 11.01.2018 from Historic England
8. Email dated 11.01.2018 from City Archaeologist
9. 13 comments from citizens
10. Comments from Nottingham Civic Society
11. Comments dated 24.01.2018 from Conservation Officer
13. Letter dated 16.01.2018 from the Environment Agency.

17 Published documents referred to in compiling this report

Nottingham Local Plan (November 2005)
Nottingham City Centre Urban Design Guide (May 2009)
National Planning Policy Framework (March 2012)
Broadmarsh car park and bus station development brief (June 2017)
Digital media interim planning strategy

Contact Officer:

Mrs Janet Keble (Tues, Wed, Thurs), Case Officer, Development Management.
Email: janet.keble@nottinghamcity.gov.uk. Telephone: 0115 8764056



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DO NOT SCALE

Orientation



Location Plan

SITE BOUNDARY

A	08/12/17	Planning	SM	BB
Rev.	Date	Revision	By	Checked

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e. office@leonarddesignarchitects.com



Project
Broadmarsh Car Park

Drawing Title
Existing Location Plan - Red Line Drawing

Project Number 0622	Suitability S4
Drawn by NS	Checked by BB
Scale @A1 1 : 500	Date 08.12.17
File Identifier BMCP - LDA - XX - XX - DR - A - 08 000	Revision A

Purpose of Issue
PLANNING

Project Status
PLANNING

My Ref: 17/02817/PFUL3 (PP-06590484)
Your Ref:
Contact: Mrs Janet Keble (Tues,Wed,Thurs)
Email: development.management@nottinghamcity.gov.uk



**Nottingham
City Council**

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4th Floor Albion House
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Nottingham
NG1 7EG

Date of decision:

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

Application No: 17/02817/PFUL3 (PP-06590484)
Application by: Nottingham City Council
Location: Broadmarsh Car Park And Bus Station, Collin Street, Nottingham
Proposal: Provision of a new bus station and car park structure with commercial space (Use Classes A1, A2, A3, A4 and A5) and ancillary public facilities including travel centre and cycle services and a link footbridge.

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

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

2. No development shall be commenced until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period and shall provide for:
- (a) Management of the highway network;
 - (b) The parking of vehicles of site operatives and visitors;
 - (c) Loading and unloading of plant and materials;
 - (d) Storage of plant and materials used in constructing the development;
 - (e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - (f) Wheel wash facilities;
 - (g) Measures to control the emission of dust and dirt during construction;
 - (h) A scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: To ensure that the amenity of nearby occupiers is protected during construction of the proposed development and in the interests of highway safety in accordance with Policy T3 of the Local Plan and Policies 10 and 14 of the Aligned Core Strategy.

3. The development shall not be commenced until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:
- 1. A preliminary risk assessment which has identified:
 - (a) all previous uses;
 - (b) potential contaminants associated with those uses;
 - (c) a conceptual model of the site indicating sources, pathways and receptors; and
 - (d) potentially unacceptable risks arising from contamination at the site.
 - 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the Local Planning Authority.

The scheme shall be implemented in accordance with the approved details.

Reason: To reduce the risk of pollution of ground water in accordance with Policy NE9 of the Local Plan.

4. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To reduce the risk of pollution in accordance with Policy NE9 of the Local Plan.



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5. No development involving the breaking of ground shall take place, until an archaeological Written Scheme of Investigation, covering the area where it is proposed to excavate below existing ground or basement levels, has first been submitted to and approved in writing by the Local Planning Authority. The Written Scheme of Investigation and works shall include:
- a) an archaeological evaluation of the site;
 - b) arrangements, supported by the conclusions of an archaeological evaluation, for the excavation of the affected areas, and the implementation of a watching brief during the course of the development;
 - c) arrangements for the recording of any finds made during the investigation and for the preparation of a final report;
 - d) arrangements for the deposition of the records of finds, and any significant finds, capable of removal from the site, in a registered museum; and
 - e) arrangements for the publication of a summary of the final report in an appropriate journal.

The archaeological investigation and works approved under this condition shall be carried out in accordance with the Written Scheme of Investigation.

Reason: to ensure that any archaeological remains of significance are safeguarded in accordance with Policy BE16 of the Local Plan and Policy 11 of the Aligned Core Strategy.

6. The development shall not be commenced until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Arboricultural Method Statement shall specify measures to be put in place for the duration of construction operations to protect the existing trees that are shown to be retained on the approved plans.

Reason: To ensure that existing trees are safeguarded during construction in accordance with Policy NE5 of the Local Plan.

7. The tree protection measures detailed in the approved Arboricultural Method Statement shall be put in place prior to the commencement of the development permitted and retained for the duration of construction operations. The development shall be carried out in accordance with any ongoing requirements set out in the approved Arboricultural Method Statement.

Reason: To ensure that existing trees are safeguarded during construction in accordance with Policy NE5 of the Local Plan.

8. There shall be no above ground development on the bus station and car park (excluding the footbridge) until the following have been submitted to and approved in writing by the Local Planning Authority:

- (a) Large scale elevations and sections at a scale of 1:50;
- (b) Details of the external materials, including a sample panel.

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

Reason: To ensure that the appearance of the development is satisfactory, in the interests of the visual amenity of the area and the character or appearance of the Nottingham Canal Conservation Area in accordance with Policy BE12 of the Local Plan and Policies 10 and 11 of the Aligned Core Strategy.

9. No work on the footbridge shall be commenced until the following details have been submitted to and approved in writing by the Local Planning Authority:

- (a) Large scale elevations and sections at a scale of 1:50 or greater;
- (b) Details of the external materials.

The development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory, in the interests of the visual amenity of the area in accordance Policy 10 of the Aligned Core Strategy.

10. Prior to the commencement of the development, an air quality assessment of the contribution and impact of the development on the air quality in the area shall be submitted to and be approved in writing by the Local Planning Authority.

Any air quality management scheme shall be carried out in accordance with the approved details unless varied with the express written approval of the Local Planning Authority.

Reason: In the interests of ensuring that air quality objectives are met in accordance with with Policy NE9 of the Local Plan.

11. Prior to the installation of any mechanical services plant or equipment (including any air handling plant), an environmental noise assessment shall be submitted to and approved in writing by the Local Planning Authority.

The environmental noise assessment shall provide sufficient detail to demonstrate that the noise from the proposed mechanical services plant or equipment (including any air handling plant) running at 100% load, combined with any existing mechanical services plant or equipment, shall not exceed a level 10dB below the existing ambient LA90 background noise level, at a point 1 metre from the window of any nearby noise sensitive premises at any time during the relevant operational period of the development.

No items of plant or equipment (either singly or in combination) shall have a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulses (bangs, clicks, clatters, thumps).

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

Reason: To ensure that the amenity of the occupiers of nearby properties is protected in accordance with Policy NE9 of the Local Plan and Policy 10 of the Aligned Core Strategy.

12. Any approved Class A3, Class A4 or Class A5 use within the development shall not be brought into use until, if required, they have been fitted with a fume extraction and ventilation system. The system shall not be installed other than in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority.

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

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

Reason: In the interests of the amenities of neighbouring occupiers and businesses and the visual amenity of the area, in accordance with Policy NE9 of the Local Plan and Policy 10 of

the Aligned Core Strategy.

Pre-occupation conditions

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

13. Prior to any part of the permitted development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To reduce the risk of pollution of ground water in accordance with Policy NE9 of the Local Plan.

14. Prior to first occupation of the development, verification that the approved air quality management 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 ensuring that air quality objectives are met in accordance with with Policy NE9 of the Local Plan.

15. The use of the car park shall not be commenced until details of parking for powered two wheelers and cycle parking have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of promoting sustainable means of transport and to ensure adequate provision for users with disabilities in accordance with Policy T3 of the Local Plan.

16. The development shall not be brought into use until any redundant footway crossings and/or damaged or altered areas of footway or other highway have been reinstated in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and the aims of Policy T3 of the Local Plan.

17. The use of the car park shall not be commenced until a plan outlining how vehicles are to be controlled and managed so as not to result in queuing on the highway has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety in the vicinity and in accordance with Policy T3 of the Local Plan.

18. Before any part of the car park is occupied, details of the proposed strategy for managing it shall be submitted to and agreed by the Local Planning Authority and the car park shall be operated in accordance with that strategy.

Reason: To ensure that the development discourages long stay commuter parking in order to reduce congestion during the peak periods in accordance with Policy T15 of the Local Plan.

Regulatory/ongoing conditions

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

19. The sight lines on each side of the vehicular access shall be provided and retained in perpetuity.

Reason: In the interests of highway safety and in accordance with Policy T3 of the Local Plan.

20. The development shall be carried out in accordance with the approved September 2017 Flood Risk Assessment (FRA) compiled by BWB and the following mitigation measures detailed within the FRA:

1. Finished floor levels (as detailed in appendix 4) of the bus station and the retail units will be set to 24.5mAOD and 24.62mAOD respectively.
 2. Incorporation of flood resilient/resistant construction measures as detailed in section 4
- The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason

1. To reduce the risk of flooding to the proposed development.
2. To reduce the impact of flooding to the proposed development.

Reason: To prevent the increased risk of flooding by ensuring the satisfactory storage of/disposal of surface water from the site, and to reduce the risk of flooding to the proposed development and future users in accordance with Policy NE10 of the Local Plan.

Standard condition- scope of permission

- S1. Except as may be modified by the conditions listed above, the development shall be carried out in complete accordance with the details described in the forms, drawings and other documents comprising the application as validated by the council on 14 December 2017.

Reason: To determine the scope of this permission.

Informatives

1. 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.

2. 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.

3. The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:

oexcavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution
otreated materials can be transferred between sites as part of a hub and cluster project
osome naturally occurring clean material can be transferred directly between sites.



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Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

The Environment Agency recommends that developers should refer to:

- (a) the Position statement on the Definition of Waste: Development Industry Code of Practice and;
- (b) The Environmental regulations page on GOV.UK

4. Highway related

1. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring. If the development works will have any impact on the public highway, please contact Highways Network Management on 0115 876 5238 or by email at highway.management@nottinghamcity.gov.uk. All associated costs will be the responsibility of the developer.

2. The Highways 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 may be required. Please contact them on 0115 8765238. All costs shall be borne by the applicant.

3. Planning consent is not consent to work on the highway. To carry out off-site works associated with the planning consent, approval must first be obtained from the Local Highway Authority. Approval will take the form of a Section 278 Agreement and you should contact Highways Network Management on 0115 8765293 to instigate the process. It is strongly recommended that you make contact at the earliest opportunity to allow time for the process to be completed as you will not be permitted to work on the Highway before it is complete. 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.

4. A car parking management plan is required at the development that outlines how in busy periods the access and egress to the car park is to be managed so as not to cause a detrimental impact on the adjacent highway network. If traffic queues occur a car parking management strategy should be prepared to outline how various scenarios are to be dealt with. The applicant is to contact James Ashton 0116 8763093 Transport Strategy in the first instance.

5. TRO's will be required with all costs borne by the applicant. Please contact Scott Harrison to progress further 0115 8765245.

6. Stopping Up Order. Please contact John Lee to discuss the details 0115 8765246.

5. Trees

New tree planting should be undertaken in accordance with current good practice set out in TDAG guidance <http://www.tdag.org.uk/trees-in-hard-landscapes.html> and the landscape design should be in accordance with British Standard 5845 (2014) Trees: from nursery to independence in the landscape -Recommendations.

6. Air Quality

The development is located either within or on the boundary of an Air Quality Management Area declared under the provisions of Part IV of the Environment Act 1995. Air Quality Management Areas are designated where the air quality objectives as set out in the Air Quality (England) Regulations 2000 (as amended) [the Regulations] are not being achieved.

In this context an area of poor air quality means that the air quality objectives for nitrogen dioxide, as set out in the Regulations, are not being met.

An air quality assessment using an appropriate methodology (eg atmospheric dispersion modelling or DMRB screening) will be required to establish the impact of the development and if an air quality management scheme is required.

7. Commercial Noise

The environmental noise assessment must be suitable and sufficient and must be undertaken with regard to BS 7445: 2003 Description and Measurement of Environmental Noise.

The environmental noise assessment must include details of the type and model of all mechanical services plant or equipment (including any air handling plant) together with its location, acoustic specification; mitigation measures and relevant calculations to support conclusions.

The mechanical services plant or equipment (including any air handling plant), including any mitigation measures, must be maintained, serviced and operated in accordance with manufacturer's recommendations while the development continues to be occupied.

8. Control of Odour & Provision of Adequate Ventilation

The design of the approved scheme for the ventilation and means of discharging fumes shall have regard to the Guidance on the Control of Odour & Noise from Commercial Kitchen Exhaust Systems (Defra, 2005).

The approved scheme shall be designed to provide for ventilation and means of discharging and dispersing fumes, the prevention of odour nuisance and the minimisation of the risk of ducting fires. The approved scheme must be maintained, serviced and operated in accordance with manufacturer's recommendations and other authoritative guidance while the development continues to be occupied.

Fire safety advice for restaurants, fast food outlets and take away shops may be obtained from Nottinghamshire Fire & Rescue Service (email: fireprotectionsouth@notts-fire.gov.uk). (NB Cheshire Fire & Rescue Service have useful advice on their website See - <http://www.cheshirefire.gov.uk/business-safety/fire-safety-guidance/restaurants-fast-food-outlets-and-take-away-shops>).

The approved scheme must be kept under review by the operator and alterations or improvements may be required to prevent odour nuisance where any subsequent significant change to the operation of the development is proposed which may affect the control of odour or risk of fire:

Significant changes to the operation of the development which may affect the control of odour include:

- i. The intensification of use of the kitchen,
- ii. The nature of the food prepared, served or cooked on site
- iii. The method of preparation and cooking of the food served or cooked on site
- iv. The extension of operating times

It is the duty of the operator to design, install and maintain the ventilation system to prevent an odour nuisance. Adequate measures must be taken to prevent nuisance due to odours passing through windows, floors or walls etc. into adjoining properties.

Adequate Ventilation

The operator of any cooking appliance must ensure that there is effective and suitable ventilation in order to enable the effective combustion of fuel and the removal of the products of combustion. The specification of a ventilation system shall be determined on the basis of a risk assessment, taking account of factors such as the cooking arrangements taking place and the need to replace extracted air.

The ventilation system must be designed, installed and maintained in accordance with manufacturer's instructions. Guidance on the design specifications of kitchen ventilation systems is contained within "DW/172" produced by the Building and Engineering Services Association (formerly the Heating and Ventilating Contractors Association). Supporting guidance has been published by the Health and Safety Executive (HSE) within Catering Information Sheet 10 (CAIS10), available at <http://www.hse.gov.uk/pubns/cais10.pdf>.

Gas appliances are subject to specific legislation and standards. Newly installed gas appliances should be fitted with an interlock to shut the gas supply off in the event of a failure to the ventilation system. Further guidance on gas safety in catering is available within Catering Information Sheet 23 (CAIS23), available at <http://www.hse.gov.uk/pubns/cais23.pdf>.

The onus for ensuring that the system does not cause odour nuisance or present a risk of fire rests with the operator. If the system is found to be causing an odour nuisance or a risk of fire at any point, then suitable modification works will be required to be carried out and an enforcement notice may be served.

9. Air Quality

The development is located either within or on the boundary of an Air Quality Management Area declared under the provisions of Part IV of the Environment Act 1995. Air Quality Management Areas are designated where the air quality objectives as set out in the Air Quality (England) Regulations 2000 (as amended) [the Regulations] are not being achieved.

In this context an area of poor air quality means that the air quality objectives for nitrogen dioxide, as set out in the Regulations, are not being met.

An air quality assessment using an appropriate methodology (eg atmospheric dispersion modelling or DMRB screening) will be required to establish the impact of the development and if an air quality management scheme is required.

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: 17/02817/PFUL3 (PP-06590484)

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.



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Not for issue