

REPORT OF CHIEF PLANNER

123 Huntingdon Street, Nottingham

1 SUMMARY

Application No: 18/00449/PFUL3 for planning permission

Application by: Aspbury Planning Limited on behalf of Ms Rachel Warren

Proposal: Demolition of existing buildings and erection of student accommodation development of varying heights (maximum 8 storeys) and ancillary facilities.

The application is brought to Committee because it is a major application, with Section 106 obligations, which raises important local issues.

To meet the Council's Performance Targets this application should initially have been determined by 6 June 2018. Having revised aspects of the layout and design of the proposed development, the applicant has agreed an extension of time for the determination of the application until 17 August 2018.

2 RECOMMENDATIONS

GRANT PLANNING PERMISSION subject to:

- 2.1 (a) prior completion of a Section 106 planning obligation to secure:
 - (i) a public open space contribution of £63,459.83 towards pedestrian and environmental improvements to Great Freeman Street in association with the construction of the proposed development and;
 - (ii) a student management plan, to include restrictions on car use.
- (b) the indicative conditions substantially in the form of those listed in the draft decision notice at the end of this report.
- 2.2 Power to determine the final details both of the conditions and the section 106 obligation to be delegated to the Chief Planner.
- 2.3 That Committee are satisfied that Regulation 122(2) Community Infrastructure Levy Regulations 2010 is complied with, in that the planning obligation sought is (a) necessary to make the development acceptable in planning terms, (b) directly related to the development and (c) fairly and reasonably related in scale and kind to the development.
- 2.4 That Committee are satisfied that the planning obligation(s) sought that relate to infrastructure would not exceed the permissible number of obligations according to Regulation 123(3) of the Community Infrastructure Levy Regulations 2010.

3 BACKGROUND

- 3.1 The application site is located on the east side of Huntingdon Street and is currently occupied on this frontage by a single storey flat roofed building that is in use as a furniture store. To the rear of this building is a large associated surface car park with vehicle accesses and a boundary wall along Great Freeman Street. There is a further single storey building within the site to the rear of the car park area. Forming the final element of the site to its eastern end is a vacant large single span depot building that has previously been used for car storage and valeting. Neighbouring properties to the site are Geneva Court flats to the east, with frontages onto the end of Great Freeman Street and onto Shelton Street. To the north of the site is terraced housing onto Watkin Street and Grimsby Terrace. Lastly, there is a pair of neighbouring semi-detached properties onto Huntingdon Street.
- 3.2 The site has a limited recent planning history, with the most relevant previous planning permission being 05/00011/PFUL3 for the erection of 86 flats and associated car parking, and with a ground floor retail use on Huntingdon Street. This scheme was to be for a five storey development in an L-shaped form with elevations onto Huntingdon Street and Great Freeman Street and basement car parking. This planning permission expired without being implemented.
- 3.3 The application site is an unallocated site within the Local Plan. It falls within the boundaries of the Eastside Regeneration Zone and the Archaeological Constraints Area.

4 DETAILS OF THE PROPOSAL

- 4.1 The application proposes the redevelopment of the site following the demolition of all of the existing buildings. The proposal is for a student accommodation development with ancillary facilities. A total of 301 student bedrooms would be provided within the scheme, to be accommodated within a range of cluster bed apartments, twin clusters, studios and townhouses. Communal amenity and study areas, a front reception and offices, a laundry room, and cycle and refuse storage areas are also provided. The refuse storage area will include a 25% increase in capacity to allow for separate recycling.
- 4.2 The new development is proposed in a perimeter block quadrant form, with building blocks of varying heights being arranged around an internal linear courtyard space. The primary new development blocks would front onto Huntingdon Street and Great Freeman Street. The tallest 8-storey block would sit at the primary and prominent junction of the two streets. There would be 4-storey 'shoulder' element to this block onto Huntingdon Street. A separate 4-storey block with a fifth storey set-back block is proposed along the length of the site on Great Freeman Street. There would be two facing 3-storey terrace style blocks to the rear, being positioned to continue the line of the neighbouring Grimsby Terrace. Lastly, there would be a single storey facilities block positioned along the northern boundary of the site adjoining the rear boundaries of neighbouring properties on Watkin Street.
- 4.4 The developer has indicated that they will work with the Council's Employment and Skills team in relation to the use of local labour for the construction phase of the development and is prepared to commit to this via the S106 agreement.

5 CONSULTATIONS AND OBSERVATIONS OF OTHER OFFICERS

Adjoining occupiers consulted:

6 – 20 Watkin Street
1 – 11 Grimsby Terrace
27 – 39(o) Shelton Street
Geneva Court, Shelton Street (all apartments)
Browns Building, Great Freeman Street
117, 119, 151, & 178 Huntingdon Street

The application has also been advertised by press and site notices.

The following comments have been received:

Neighbour: Objection. Concerned about noise levels, not only from the construction of the site, but also from students exiting and entering the building between 23.00 and 07.00. Appreciate that a noise report has been provided, but this does not cover loud noise made by students outside of the building, or loud noise coming through open windows during the summer. Watkin Street already has issues with parking and traffic, and am concerned of what lies ahead during “peak times” such as the beginning and end of student term. Furthermore, do not see the need for the development of more student accommodation so close to an already highly student-populated residential area, which would overwhelm non-student residents further.

Neighbour: Objection. Flat currently does not get much sun and instead of this small amount, it will get permanent shade instead. Also, consider that students do not make good neighbours.

Neighbour: Concern over disruption to Great Freeman Street and safe pedestrian use of this route, including levels of noise and dust.

Additional consultation letters sent to:

Environmental Health: No objections subject to planning conditions requiring contamination remediation and verification; verification of implementation of sound insulation scheme; verification of mitigation of noise associated with mechanical services and plant; air quality assessment and management; and details of any piling or other foundation designs using penetrative methods.

Highways: The development does not provide car parking spaces on-site for residents, staff or visitors, which is welcomed for this central location. Three disabled parking bays are proposed within the site, with access from Great Freeman Street. Tracking will be required to demonstrate that vehicles can turn within the site, and thereby enter and exit Great Freeman Street in a forward gear. The proposal will result in a significant increase in pedestrian trips over that of the existing use. The majority of pedestrian movements will impact on the Huntingdon Street/Great Freeman Street/Cairns Street signalised junction. Currently there is no dedicated green man facility at this junction. The junction and A60 corridor is a critical area of traffic concern and any decrease in operational capacity should be avoided as far as possible. A design would need to be produced, and an assessment provided on the impact on traffic in the area. The level of proposed cycle provision (76 cycles) is considered acceptable. Deliveries and servicing for the proposed development will be achieved from Great Freeman Street, similar to the existing arrangements. The process of students moving in and out of the

accommodation will require planning, including the potential suspension of pay and display parking bays on Great Freeman Street. Planning conditions are proposed to reflect these comments.

Drainage: Satisfied with the submitted additional drainage strategy information and recommend implementation in accordance with this information.

City Archaeologist: An archaeological watching brief should be required as a condition, during groundworks associated with the development. Fieldwork in the vicinity has demonstrated that rock-cut features often survive below construction and demolition levels. Being located only 80m from a known medieval burial ground and approximately 100m from an area of intense medieval pottery production, there is the potential that domestic and industrial activity took place within the site boundary. Indeed the site lay within the Clayfields that are believed to have been associated with pottery production. It is therefore considered that there is archaeological potential for this site for remains of medieval and post-medieval date. Whilst the potential for caves may be low, it must not be ruled out and further ground investigations should be required. The archaeological watching brief of groundworks should be undertaken by a suitably qualified and experienced archaeological contractor.

Nottingham Civic Society: Concerned that the proposed scheme is tall and of a very high density where it adjoins two-storied Victorian dwellings (Watkin Street). Whilst the scheme has evidently been modified to take account of the Council's design guidance on building heights in Eastside, which is welcomed, the overall density of the scheme is still likely to have an oppressive impact upon the Watkin Street area, the dwellings and their small external spaces which are sited due north of the tall buildings. Providing sun-path studies for projected summer conditions as reassurance minimises the overshadowing effects for the majority of the year, a contributor to the loss of amenity. The density of the scheme should be re-considered.

6 RELEVANT POLICIES AND GUIDANCE

National Planning Policy Framework:

- 6.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policies. While planning applications still need to be determined in accordance with the development plan, which are set out in the report, the NPPF is a material consideration in the assessment of this application.
- 6.2 The NPPF advises that there is a presumption in favour of sustainable development and that development which is sustainable should be approved. Paragraph 17 of the NPPF lists the core planning principles that should underpin decision taken on planning applications. Of particular relevance to this application is the need to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, and to contribute to conserving and enhancing the natural environment and support the transition to a low carbon future.
- 6.3 Paragraphs 56-64 of the NPPF sets out the approach for achieving good quality design, including responding to local character, creating a strong sense of place and resisting poor design that fails to take opportunities to improve the character and the quality of an area.

- 6.4 Paragraph 96 states that new development should be expected to take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.
- 6.5 Paragraph 111 states that planning decisions should encourage the effective use of land by re-using land that has been previously developed.
- 6.6 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):

BE16 - Archaeology

H6 - Student Housing.

NE9 - Pollution.

NE12 - Derelict and Contaminated Land

R2 - Open Space in New Development.

T3 - Car, Cycle and Servicing Parking.

Aligned Core Strategy (September 2014)

Policy A - Presumption in favour of sustainable development.

Policy 1 - Climate change.

Policy 5 - Nottingham City Centre

Policy 7 - Regeneration

Policy 10 - Design and Enhancing Local Identity.

Other Planning Guidance

Nottingham City Centre Urban Design Guide

Building Balanced Communities Supplementary Planning Document

Eastside Regeneration Area Interim Planning Guidance

Planning Guidance for the Provision of Open Space Within Developments
Supplementary Planning Guidance

7. APPRAISAL OF PROPOSED DEVELOPMENT

Main Issues

- (i) Use for student accommodation and impact on the amenities of neighbouring occupiers
- (ii) Layout, scale and design of proposed development.
- (iii) Highways

Issue (i) Use for student accommodation and impact on the amenities of neighbouring occupiers (Policy H6, Policy 5, Policy 7 and Building Balanced Communities Supplementary Planning Document)

- 7.1 The application site is conveniently located within a short walking distance of Nottingham Trent University campus and the city centre amenities. It falls within the Eastside Regeneration Zone where, in accordance with the Building Balanced Communities Supplementary Planning Document, the further provision of purpose built and managed student accommodation is to be encouraged subject to the consideration of the proposal on its merits. Whilst having been adopted in 2004, the Eastside Regeneration Interim Planning Guidance also identifies the opportunity for a possible 'student village' to the east of the Victoria Centre. Policy 5 of the Aligned Core Strategies also supports city centre living initiatives including student housing where appropriate.
- 7.2 It is considered that the provision of good quality purpose built accommodation in this location will attract students that could otherwise occupy houses of multiple occupation outside of the city centre. Consequently, it is considered that the proposed student accommodation use accords with the Building Balanced Communities Supplementary Planning Document, the Eastside Regeneration Interim Planning Guidance, Policy H6 of the Local Plan regarding the location of student accommodation development and Policies 5 and 7 of the Aligned Core Strategies.
- 7.3 The proximity of neighbouring residential properties at Geneva Court, Watkin Street and Grimsby Terrace are noted and have been reviewed as part of the assessment of the impacts of this proposed development, including the relationships of layout, scale and design below. A student management plan has been submitted with the application and is to be incorporated into the S106 agreement as part of any consent. The student management plan includes a commitment to work proactively with the local community, including 24 hour on-site management and community liaison. It is considered that appropriate measures have been identified within the student management plan to minimise any impact of the student accommodation use on the local community in accordance with Policy H6.

Issue (ii) Layout, scale and design of proposed development (Policy 10)

- 7.4 The layout of the proposed development appropriately addresses the primary street frontages of Huntingdon Street and Great Freeman Street, with reception and common areas being provided at ground floor level onto Huntingdon Street. The depth of plan of these principal blocks allows for the formation of an internal pedestrian street/courtyard space, with a single storey facilities block then being provided along and up to the boundary of the application site with the rear of properties on Watkin Street. It is considered that the siting of this single storey block will act as a buffer between the properties on Watkin Street and the development and, including the width of the courtyard space, also ensures that an appropriate separation distance is provided between the proposed blocks and those residential properties. This separation distance is increased from that of the previously approved development of the application site for the erection of 86 flats

- 7.5 There are two secondary blocks of development proposed to the rear of the principal block onto Great Freeman Street. These are aligned to continue the pattern of the neighbouring Grimsby Terrace. The layout and form of these secondary blocks are intended to reflect the terrace pattern of development in a contemporary style and the format of accommodation within the block on the boundary with Geneva Court is also varied to provide shared terrace-style units. The 'street' space between these blocks is to be hard and soft landscaped, and includes three disabled car parking spaces.
- 7.6 It is considered that the proposed layout of building blocks across the application site provides emphasis to the primary streets, whilst also having regard to the pattern of neighbouring developments and appropriate separation distances.
- 7.7 The scale of the proposed development also reflects the arrangement and positions of the proposed blocks. The tallest 8-storey element occupies the most prominent position of the site at the corner of Huntingdon Street with Great Freeman Street, with a lower 4-storey 'shoulder' element providing the transition between this prominence and the neighbouring 2-storey semi-detached properties on Huntingdon Street. Whilst not being directly relevant to the proposed development, the applicant has also referred to the historic precedent for the scale of the 'shoulder' element from the factory building that previously occupied this part of the site.
- 7.8 The application site falls within the 'Tall Building Zone' identified within the Nottingham City Centre Urban Design Guide, which also borders the lower rise residential area of St. Ann's. The strategy for building heights in this area recognises that new developments should be reduced along the residential fringe and the proposed development has acknowledged this strategy. It is considered that the scale and form of the 8-storey element is appropriate to the site and its context, without dominating neighbouring buildings and the adjacent residential properties in particular. The comments of Nottingham Civic Society are noted in this respect. However, in taking into account the layout and scale of proposed development, plus the historic factory precedent, plus the layout and scale of the previously approved flats development of the site, it is considered that the density and scale of the proposed development would not have the oppressive impact upon the Watkin Street area suggested by the Society. The Society's recognition of the modification of the proposed development to take into account the City Centre Design Guide is however also noted and welcomed.
- 7.9 There is a unifying contemporary aesthetic to the design of the proposed development, whilst also incorporating variation in form and detail to reflect the position and status of each block within the layout. The primary 8-storey block is emphasised with the use of glazing that is to be fitted flush to the façade therefore giving it a monolithic quality. The verticality of this block has recently been further emphasised with the use of a recessed slot between the taller and shoulder elements. Whilst being simple in its form and appearance, it is considered that the use of a high quality red brick, including vertical and header bonding between floor levels and a clear accent to the top floor will provide a strong finish to the block. The applicant has also recently opted to include a resident lounge at the top floor with a large north facing picture window, which repeats a similar window element to an apartment kitchen/living room on the south elevation.

- 7.10 The shoulder block and long block onto Great Freeman Street have a similar aesthetic, securing the position of the taller corner block by their similar form and scale. The fenestration to both blocks are treated in an identical fashion with their repetitive glazing and louvers to be rebated within a brick framed deep reveal and therefore providing those blocks with a contemporary warehouse quality of appearance. Vertical brick bonding between floors and at parapet level is used again as a unifying design element. There is an additional fifth storey black clad set-back level to the Great Freeman Street block and there are recessed breaks along its length, with ground floor carriageway openings allowing pedestrian and service access into the internal shared courtyard space. The regular and repetitive strength of appearance of the façade to Great Freeman Street and softening of the streetscape by associated resurfacing and landscaping is considered to be an appropriate and positive enhancement to this street.
- 7.11 The design of the three blocks to the rear also maintain the common design aesthetic at their reduced scale. Amendments to the extent, form and design of these blocks have been negotiated to minimise any impact upon neighbouring properties. Accordingly it is now considered that appropriate relationships have been achieved and that the design of these blocks, including their associated internal courtyard space surfacing and landscaping, will also provide an appropriate environment for future student occupants.
- 7.12 Subject to conditions to ensure the quality of construction, it is considered that the design of the proposed development is appropriate to the site and area in accordance with Policy 10 of the Adopted Core Strategy.

Issue (iii) Highways (Policy T3)

- 7.13 With the exception of the provision of three disabled spaces, the proposed development makes no provision for on-site parking, which is welcomed by Highways. There are pay and display car parking spaces along one side of Great Freeman Street and there are other car parks in the vicinity of the site that will allow the families of students to park off-street at the beginning and end of terms. Planning conditions, including the management of student arrival/departures, are also recommended in the interests of highway safety and these are included in the draft decision notice that is attached to this report.
- 7.14 Obligations within the S106 agreement aim to ensure that student occupants do not keep or use their cars within the City. This has become a successful deterrent to student car use and is common to all major student accommodation developments within and around the City Centre. It is therefore considered that the proposed development accords with Policy T3.
- 7.15 The applicant is proposing to upgrade Great Freeman Street in association with the development and an initial plan of these proposals is being discussed with Highways. Whilst the street is intended to remain fully accessible for traffic, car parking and servicing, it is considered that there are significant opportunities for environmental improvements as part of an upgrade, which would enhance the pedestrian experience along this direct route between St. Ann's and the city centre. In association with the resurfacing of the highway it is currently intended to upgrade the quality of the pedestrian footpaths, define the on-street car parking bays with setts, provide a platform crossing at the junction with Huntingdon Street for pedestrian convenience, and to provide street trees along the length of Great Freeman Street with other trees also being provided within the demise of the

application site. The applicant has advised that they are seeking separate agreement with the owners of the Hopewells furniture store to upgrade the appearance of the rendered boundary wall along the southern edge of Great Freeman Street.

- 7.16 It is proposed below that the costs of facilitating the upgrade works would be partially met through the use of the S106 public open space contribution that the development would be required to provide, with the costs of the uplift in the quality of finishes to be fully quantified and verified. It is considered that there would be significant public benefit in providing these improvement works in association with the proposed development and that the allocation of the public open space contribution for this purpose would ensure that the quality of design and finishes are appropriate and above the standard that would otherwise be required under general highway repair and reinstatement.

Other Matters (Policies BE16, NE9, NE12, and R2)

- 7.17 In accordance with Policy R2 and the Planning Guidance for the Provision of Open Space Within Developments SPG it is intended that the Section 106 planning obligation secures a public open space contribution of £63,459.83 towards pedestrian and environmental improvements to Great Freeman Street in association with the construction of the proposed development.
- 7.18 Environmental Health advises that they have no objection subject to conditions. In accordance with Policies NE9 and NE12, it is therefore recommended that conditions relating to: air quality assessment and management; site investigations relating to any contamination and remediation; implementation of sound and acoustic ventilation measures; maximum noise levels in relation to any plant equipment; and details of any piling or other foundation designs using penetrative methods are attached to a consent.
- 7.19 The City Archaeologist has identified the potential for archaeological remains and potential caves and has therefore requested an archaeological watching brief as a condition of any consent in accordance with Policy BE16.

8. SUSTAINABILITY / BIODIVERSITY (Policy 1)

- 8.1 The city centre location of the application site is inherently sustainable with good access to local services and public transport. The energy report submitted with the application advises that the development will adopt a number of passive design and energy efficiency measures in order to reduce its energy demand. These include fabric enhancement and highly efficient ventilation, cooling and heating systems. The applicant also advises that the potential for connection to the nearby District Heating system has been investigated, with initial technical and commercial information indicating that this will be used. The proposed energy strategy incorporating District Heating is calculated to reduce annual CO2 emissions by 49%. It is therefore considered that the proposed development accords with Policy 1.

9 FINANCIAL IMPLICATIONS

A financial contribution of £63,459.83 will be negotiated in accordance with the Open Space Supplementary Planning Guidance.

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

Securing training and employment for Nottingham citizens through the construction of the development.

14 CRIME AND DISORDER ACT IMPLICATIONS

None.

15 VALUE FOR MONEY

None.

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

1. Application No: 18/00449/PFUL3 - link to online case file:
<http://publicaccess.nottinghamcity.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=P54FUNLYMPU00>
2. Environmental Health, 3.5.18
3. Highways, 28.3.18
4. Drainage, 4.6.18
5. City Archaeologist, 22.3.18
6. Nottingham Civic Society, 29.3.18
7. Neighbour, 28.3.18
8. Neighbour, 3.4.18
9. Neighbour, 18.6.18

17 Published documents referred to in compiling this report

Nottingham Local Plan (November 2005)
Aligned Core Strategy (September 2014)
Building Balanced Communities Supplementary Planning Document
Planning Guidance for the Provision of Open Space Within Developments
Supplementary Planning Guidance
Nottingham City Centre Urban Design Guide
Eastside Regeneration Area Interim Planning Guidance

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NOMAD printed map



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Key

City Boundary

Description

No description provided

My Ref: 18/00449/PFUL3 (PP-06781990)

Your Ref:

Contact: Mr Jim Rae

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**Nottingham
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Date of decision:

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

Application No: 18/00449/PFUL3 (PP-06781990)
Application by: Ms Rachel Warren
Location: 123 Huntingdon Street, Nottingham, NG1 3NG
Proposal: Demolition of existing buildings and erection of student accommodation
development of varying heights (maximum 8 storeys) and ancillary 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. <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 commence until a Remediation Strategy that includes the following components to deal with the risks associated with ground contamination of the site has been submitted to and approved in writing by the Local Planning Authority:
- a) A Preliminary Risk Assessment which has identified:
- i) all previous site uses
 - ii) the nature and extent of potential contaminants associated with those uses
 - iii) the underlying geology of the site
 - iv) a conceptual model of the site indicating sources, pathways and receptors
 - v) potentially unacceptable risks arising from ground contamination at the site.
- b) A Site Investigation, based on a) above, and a detailed assessment of the risk to all receptors that may be affected, including those off site.
- c) A Remediation Plan, based on a) and b) above, giving full details of the remediation measures required and how they are to be undertaken (including a contingency plan for dealing with any unexpected contamination not previously identified in the Site Investigation).
- d) A Verification Plan providing details of the data that will be collected in order to demonstrate that the works set out in c) above are complete.
- The Remediation Strategy shall be carried out in accordance with the approved details unless varied with the express written approval of the Local Planning Authority.
- Reason: To ensure that the site can be developed without health or safety risks to the environment, the users of the development, and/or adjoining occupiers in accordance with Policy NE12 of the Nottingham Local Plan.*
3. The development shall not be commenced until details of any piling or other foundation designs using penetrative methods have been submitted to and approved in writing by the Local Planning Authority demonstrating that industry best practice shall be used to minimise the effects of noise and vibration on surrounding occupiers. The development shall only be implemented in accordance with the approved details.
- Reason: To ensure that the residential occupiers and neighbouring properties to the development do not experience noise nuisance in accordance with Policy NE9 of the Nottingham Local Plan.*
4. No development shall commence until a Construction Traffic Management Plan for that phase has been submitted to and approved in writing by the Local Planning Authority for that phase. The plan 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 Construction Traffic Management Plan 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 Aligned Core Strategies.*

5. Other than the demolition of the existing site buildings, the redevelopment of the site shall not commence until a programme of archaeological works involving the minimum of a field evaluation to determine the character, condition and extent of archaeological remains within the site, and any recommendations for further archaeological works, has been submitted to and approved in writing by the Local Planning Authority. The redevelopment works shall thereafter be carried out in accordance with the recommendations of the approved submission.

Reason: To ensure that any archaeological remains of significance are safeguarded in accordance with BE16 of the Nottingham Local Plan.

6. Other than the demolition of the existing site buildings, development shall not commence until large-scale elevation and section drawings (e.g. scale 1:20/1:10) of the detailed design of the following elements of each of the approved new buildings have been submitted to and approved in writing by the Local Planning Authority:

a) Elevations: including glazing systems, louvers, reveals, soffits, and entrances;

b) Roofs: including edges, parapets, and dormers;

c) Plant: including lift enclosure, external ventilation systems, and other similar elements that are integral to the fabric of the building;

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

Reason: In order to ensure that the detailed design of these areas are consistent with the high quality of the development and in accordance with Policy 10 of the Adopted Core Strategy 2014.

7. Other than the demolition of the existing site buildings, development shall not commence until a large scale sample panel of all proposed materials to be used on the external elevations of the approved development has been constructed on site and has been reviewed and agreed in writing by the Local Planning Authority. Confirmation of the proposed external materials shall also be submitted to and approved in writing by the Local Planning Authority before development commences and the development shall thereafter 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 Aligned Core Strategy.

8. A detailed landscaping scheme for the development indicating the type, height, species and location of proposed planting (trees and shrubs), shall be submitted to and approved by the Local Planning Authority before any above ground development is commenced. The scheme shall also include full details of the tree pit construction, with particular attention to these details being required for trees on the frontage of the site to Great Freeman Street.

Reason: To ensure that the appearance of the development will be satisfactory in accordance with Policy 10 of the Adopted Core Strategy.

Pre-occupation conditions

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

9. Prior to first occupation of the development, the following shall be submitted to and be approved in writing by the Local Planning Authority:

A Verification Report, which shall include the data referred to in the Verification Plan, to demonstrate that the approved Remediation Strategy to deal with ground contamination of the site has been fully implemented and completed.

Reason: To ensure that the site can be developed without health or safety risks to the environment, the users of the development, and/or adjoining occupiers in accordance with Policy NE12 of the Nottingham Local Plan.

10. Prior to first occupation of the development, verification that the approved air quality management scheme as outlined in Section 5 of the Air Quality Impact Assessment Report (Document Number 60551961_AQ_1, dated 22 February 2018) has been implemented and is fully operational shall be submitted to and be approved in writing by the Local Planning Authority.

Reason: To ensure that the site can be developed without health or safety risks to the users of the development in accordance with Policy NE9 of the Nottingham Local Plan.

11. Prior to first occupation of the development, verification that the approved sound insulation scheme outlined in the Planning Noise Report (Project Number 60551961, dated 23 February 2018) has been implemented and is fully operational shall be submitted to and be approved in writing by the Local Planning Authority.

Reason: To ensure that the residential occupiers and neighbouring properties to the development do not experience noise nuisance in accordance with Policy NE9 of the Nottingham Local Plan.

12. Prior to the first occupation of the development, the applicant shall submit written verification to the Local Planning Authority that the approved mechanical services plant or equipment (including any air handling plant) specified to serve the development and outlined in the Planning Noise Report (Project Number 60551961, dated 23 February 2018), including any mitigation measures, have been implemented.

Reason: To ensure that the residential occupiers and neighbouring properties to the development do not experience noise nuisance in accordance with Policy NE9 of the Nottingham Local Plan.

13. The approved development shall not be occupied until such time that a Traffic Management Plan for the loading and unloading of vehicles collecting and delivering the belongings of the student occupants at the start and finish of each academic term has been submitted to and approved by the Local Planning Authority. The Traffic Management Plan shall thereafter be exercised in accordance with the approved details unless varied by the prior written consent of the Local Planning Authority.

Reason: To avoid the prejudice to traffic conditions in the vicinity of the development site and in the interests of highway safety.

14. The approved development shall not be occupied until the existing vehicle accesses onto Great Freeman Street that are made redundant as a consequence of the implementation of the approved development have been reinstated with full height kerbs and footways in accordance with details that are to be submitted to and approved by the Local Planning Authority.

Reason: In the interests of ensuring that these works are carried out in association with the approved redevelopment of the site and in the interests of highway safety and amenity in accordance with Policy 10 of the Aligned Core Strategies.

15. The approved development shall not be occupied until the full details and specification of the pedestrian and environmental improvement works to Great Freeman Street (see Drawing 260618/01/Rev 1), including an agreed timescale for the implementation of these works in association with the Local Highway Authority, have been submitted to and approved by the Local Planning Authority in consultation with the Local Highway Authority. The approved details and specification shall thereafter be implemented in accordance with the agreed timescale unless varied with the written consent of the Local Planning Authority.

In the interests of ensuring the appropriate design and completion of these improvements in association with the implementation of the approved development and in accordance with Policy 10 of the Aligned Core Strategies.

Regulatory/ongoing conditions

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

16. The approved landscaping scheme shall be carried out in the first planting and seeding seasons following the occupation or the completion of the development whichever is the sooner, and any trees which die, are removed, or become seriously damaged or diseased within a period of five years shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the appearance of the development will be satisfactory in accordance with Policy 10 of the Adopted Core Strategy.

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:
As listed on Drawing Issue Sheet reference 2132-C.4-180705-ISHT-DH-01, received 6 July 2018
Drawing reference 260618/01 revision Rev 1

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



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landowner, statutory bodies and neighbours. This permission is not an approval under the Building Regulations.

3. Contaminated Land

The Remediation Strategy (including its component elements) must be undertaken and implemented in accordance with Defra and the Environment Agency's guidance 'Model Procedures for the Management of Land Contamination, CLR 11' and other authoritative guidance. The Remediation Strategy must also provide details of:

- 'Cut and fill' operations on site
- How trees retained on site will be dealt with
- Any asbestos surveys carried out, the method statement for removal of asbestos and subsequent validation of air and soil following asbestos removal and demolition.

Following completion of the development, no construction work, landscaping or other activity must be undertaken which may compromise the remediation measures implemented to deal with ground contamination of the site.

It is a requirement of current Building Regulations that basic radon protection measures are installed in all new constructions, extensions conversions & refurbishments on sites which are Radon Class 3 or 4 and full radon protection measure are installed on site which are Radon Class 5 or higher. Advice from the Council's Environmental Health Team regarding appropriate gas protection measures must be sought where there are both radon issues and ground gas issues present.

The responsibility and subsequent liability for safe development and secure occupancy of the site rests with the developer and/or the landowner. The developer is required to institute a thorough investigation and assessment of the ground conditions, nature and degree of contamination on the site to ensure that actual or potential risks to public health and safety can be overcome by appropriate remedial, preventive or precautionary measures. The developer shall provide at his own expense such evidence as is required to indicate clearly that the risks associated with ground contamination of the site has been addressed satisfactorily.

4. Air Quality

The development is located within 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.

The mechanical ventilation scheme [including any additional mitigation measures], shall be maintained, serviced and operated in accordance with manufacturer's recommendations while the development continues to be occupied.

5. Domestic Noise

The approved sound insulation scheme must be maintained and, in the case of mechanical ventilation, must be maintained, serviced and operated in accordance with manufacturer's recommendations.

6. 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.

7. Highways

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.

8. 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.

9. 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.

10. Amendments to existing Traffic Regulation Orders on Great Freeman Street are likely to be required in order to facilitate the general servicing of the proposed development. and this is to be agreed with Highways Network Management on 0115 8765293, who will instigate this process. All associated costs will be borne by the developer.

11. Archaeology

Should any caves be encountered during the development the City Archaeologist must be contacted immediately (Scott Lomax, Tel: 0115 876 1854)

12. Construction Hours

Noise Control: Hours of Work and Equipment

The acceptable hours for demolition or construction work are detailed below; -

Monday to Friday:	0730-1800 (noisy operations restricted to 0800-1800)
Saturday:	0830-1700 (noisy operations restricted to 0900-1300)
Sunday:	at no time
Bank Holidays:	at no time

Work outside these hours may be acceptable in exceptional circumstances but must be agreed in advance with Nottingham City Council's Environmental Health Team (Tel: 0115 9152020; email: pollution.control@nottinghamcity.gov.uk)

Equipment

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

Dust/Grit and Other Fugitive Emissions

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

Appropriate measures include;-

Flexible plastic sheeting

Water sprays /damping down of spoil and demolition waste

Wheel washing.

Periodic road cleaning.

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

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: 18/00449/PFUL3 (PP-06781990)

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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