

Report of the Chief Executive

Application Number:	24/00669/REG
Location:	Car Park ,Victoria Street, Stapleford Nottinghamshire NG9 7AP
Proposal:	Construct two/three storey building serving mixed uses with associated landscaping and parking

This application is brought before Planning Committee as the Council is the landowner and applicant.

1. Purpose of the Report

The application seeks full planning permission to construct a two/three storey building serving mixed uses with associated landscaping and parking.

2. Recommendation

The Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix.

3. Detail

- 3.1 The application seeks full planning permission to construct a two/three storey building serving mixed uses with associated landscaping and parking in Stapleford town centre.
- 3.2 The project forms part of the Stapleford Town Centre Investment Plan and follows extensive community engagement. The Stapleford Town Deal was agreed in June 2021, on the signing of Heads of Terms, with 6 core projects identified from its TIP (Town Improvement Plan). As part of the Project Confirmation Process, the Stapleford Town Deal Executive Board confirmed its intention to progress with the six core projects in October 2021.
- 3.3 The main issues relate to the impact of the proposal on Stapleford Town Centre, the impact on the character and appearance of the area, the impact on amenity of neighbouring properties, highway safety and loss of the existing council car park on Victoria Street.
- 3.4 The proposed building will serve as an 'Enterprise Hub' which comprises flexible mixed uses and spaces at ground floor level and offices at upper floor levels. The building will be adaptable to meet the requirements and needs of the local community.
- 3.5 The Enterprise Hub will represent a prominent flagship building that will be relatively large in its massing and scale whilst still representing a uniformed character. A building of this character and size is considered to be typically located within a town centre location.

- 3.6 Whilst it is acknowledged it will be a prominent building, its design, massing and scale have been considered to relate to surrounding landscape and be respectful of existing commercial and residential buildings. The amenity of existing residential properties has also been considered.
- 3.7 A car park will be provided to the rear along with accessible toilets and the trees along Victoria Road will largely be retained.
- 3.8 The benefits of the proposal are that the development would provide a community building that accommodates mixed/flexible uses that can be adapted as the community progresses and changes. Existing trees will largely be retained along Victoria Street, parking has been retained to the rear of the building and due to its location the building will promote accessibility by foot. It will contribute to the local economy and has been designed carefully to consider its surrounding landscape and neighbouring buildings. On balance, it is considered that any potential concerns would be outweighed by the benefits of the scheme, which is considered to be in accordance with the policies contained within the development plan. This is given significant weight.

4. Financial Implications

- 4.1 The comments from the Head of Finance Services were as follows: There are no additional financial implications for the Council with the costs/income being within the normal course of business and contained within existing budgets. Any separate financial issues associated with S106s (or similar legal documents) are covered elsewhere in the report.

5. Legal Implications

- 5.1 The comments from the Head of Legal Services were as follows: The Legal implications are set out in the report where relevant, a Legal advisor will also be present at the meeting should legal considerations arise.

6. Data Protection Compliance Implications

- 6.1 Due consideration has been given to keeping the planning process as transparent as possible, whilst ensuring that data protection legislation is complied with.

7. Background Papers

Nil.

Appendix 1

1. Details of Application

- 1.1 The application seeks full planning permission to construct a two/three storey building serving mixed uses with associated landscaping and parking in Stapleford town centre. The proposed building will serve as an ‘Enterprise Hub’ which comprises flexible mixed uses and spaces at ground floor level and offices at upper floor levels. The building will be adaptable to meet the requirements and needs of the local community.
- 1.2 The Enterprise Hub will represent a prominent flagship building that will be relatively large in its massing and scale whilst still representing a uniformed character. A building of this character and size is considered to be typically located within a town centre location. Whilst it is acknowledged it will be a prominent building, its design, massing and scale have been considered to relate to surrounding landscape and be respectful of existing commercial and residential buildings. The amenity of existing residential properties has also been considered.
- 1.3 A car park will be provided to the rear along with accessible toilets and the trees along Victoria Road will largely be retained.

2. Location and Site Characteristics

- 2.1 The site is an existing council owned car park located between the Poundstretcher building and Victoria Street within Stapleford Town Centre. The site rises up from Derby Road, along Victoria Street to Eatons Road meaning the rear of the site is elevated.
- 2.2 Trees align the site along Victoria Street and residential properties are located on the other side of Victoria Street. Some of the properties have off street parking but the majority rely on on-street parking. Parking restrictions on Victoria Street consist of double yellow lines along the car park side and permit parking holders only being permitted to park between Monday to Saturday 9:00am-5:00pm on the other side.

3. Relevant Planning History

3.1

Planning

77/00487/FUL	FORMERLY 15 VICTORIA STREET STAPLEFORD - USE SITE FOR RETAILING PURPOSES	PERC
77/00902/FUL	(FORMERLY 15 - 23 VICTORIA STREET AND 24-26 EATON'S ROAD, STAPLEFORD) - USE SITE AS CAR PARK	PERC
83/00298/FUL	Formerly 5-7 Victoria Street, Stapleford - change of use from residential to office and storage accommodation.	PERC
84/00516/RTP	5 and 7 Victoria Street, Stapleford - no. 5 - office accommodation, no. 7 - storage	PERU
85/00589/FUL	Formerly 5-23 Victoria Street and 24-26 Eaton's Road - construct extension to public car park	PERU

4. Development Plan Policy

4.1 National Planning Policy Framework 2023:

- Section 2: Achieving sustainable development
- Section 4: Decision-making
- Section 6: Building a strong and competitive economy
- Section 9: Promoting sustainable transport
- Section 11: Making effective use of land
- Section 12: Achieving well-designed and beautiful places
- Section 15: Conserving and enhancing the natural environment

5. Local Planning Policies

5.1 Part 2 Local Plan 2019:

- Policy 10: Town Centre and District Centre Uses
- Policy 17: Place-making, Design and Amenity
- Policy 18: Shopfronts, Signage and Security
- Policy 19: Pollution, Hazardous Substances and Ground Conditions
- Policy 26: Travel Plans
- Policy 31: Biodiversity Assets

Part 1 Broxtowe Aligned Core Strategy 2014:

- Policy 4: Employment Provision and Economic Development

- Policy 6: Role of Town and Local Centres
- Policy 10: Design and Enhancing Local Identity
- Policy 12: Local Services and Healthy Lifestyles
- Policy 14: Managing Travel Demand
- Policy 17: Biodiversity
- Policy 19: Developer contributions

6. Consultee and Third Party Comments

6.1 Consultees

- **TPOW and CAT Parks and Environment** – no response.
- **Environmental Health** –

Advise class E use shall not be used except between 07:30-23:00 Mon-Sun, bank holidays and other public holiday.

Deliveries by commercial vehicles to and from the site 07.00 – 23.00 hours Monday to Friday Saturday and at no time on Sundays, Bank Holidays and other public holidays.

Condition in respect of controlling noise from music, live entertainment, air conditioning and other mechanical equipment. Sound reproduction or amplification equipment should not be audible past the site boundary and plant, machinery and equipment operated and maintained to prevent noise beyond the red line of site.

Noise condition in respect of fixed plant installation and noise levels

Condition in respect of odour management.

Condition in respect of working hours and providing a construction method statement.

Having reviewed the supplied information, it is confirmed the reports are generally satisfactory. However, the report does highlight one area of concern: *‘Any excavations into the historic Made Ground below the existing car park subbase may need to be managed with respect to the presence of ACMs.’* (asbestos containing materials).

Request a short Remediation Statement is produced outlining mitigation measures to ensure the safety of operatives and the wider nearby public (foot traffic and residential neighbours) where this material is to be exposed/excavated. This should be linked with any CEMP/Dust mitigation plan for the development.

Request conditions in respect of a remediation scheme in relation to potential risks from ground materials containing asbestos, this being reported to the LPA if identified with a relevant assessment and remediation scheme if necessary.

Environment – Waste and Recycling:

Enterprise Hub: The six 1100L bins would likely provide sufficient storage for the waste that would be generated.

Option 1: Bins would need to be emptied before 7am due to access, bins should be stored on a level surface for health and safety reasons, bins should not be stored next to another building due to fire safety risk.

Option 2: Bins would need to be emptied before 7am due to access, bins need to be brought out on collection day, bins should not be stored next to another building due to fire safety risk.

Coffee Shop: x3 240L bins are sufficient, should be adjusted for food waste if required, bin store area should be large enough to accommodate the x3 240L bins, refuse team requires access to any bin store areas.

- **Cllr J W McGrath - Stapleford South West Ward:** no comments received.
- **Cllr S Paterson - Stapleford South West Ward:** no comments received.
- **Stapleford Town Council:** no response.

- **NCC - Planning Policy** – Request a bus stop infrastructure contribution of £14,100 is paid to provide improvement to two bus stops at Memorial Garden (BR0004 and BR0003) for real time display, relining clearway and other enhancements as required. Cycle parking is proposed on the site therefore, request a sum of **£10,000** to determine if it is feasible for Victoria Street and Eatons Road to be dedicated mixed traffic streets, so to assess if it is felt appropriate and necessary.

- **NCC Highways:**

First response 11.10.24:

Do not envisage the proposed development will generate more than 30-two-way trips in the peak-hour and so capacity assessments of nearby junctions is not necessary.

Servicing will take place via Victoria Street which benefits from double yellow lines (DYL's) along the north side of the carriageway to maintain the free-flow of traffic. Its junctions with Derby Road and Eatons Road are also protected with DYL's to deter indiscriminate parking. Swept path analysis shows the largest vehicle to access the site can enter/exit in a forward gear. The manoeuvre of a refuse wagon is particularly close to adjacent parked cars which may not be necessary if undertaken by the Borough Council as their vehicle will remain on highway. If waste is collected privately, then the access should be widened to reduce the likelihood of vehicle conflicts when entering/leaving. It should also take the form of a footway crossing and not a kerbed radii junction.

The block paved area fronting the Derby Road elevation extends into public highway. It is not known how this finish relates to the wider regeneration of the Town Centre but is a maintenance issue for the Highway Authority. The District Manager for Broxtowe will be contacted for a view, and we will advise when a response is received.

Second response 12.11.24:

The tracking shows a refuse wagon entering a section of carriageway that if occupied by parked vehicles will increase the likelihood of scrapes /scuffs/broken wing mirrors. We would therefore want the access to be widened (width to be determined by tracking) so that there are no vehicle conflicts regardless of the time of day

The footway along the radius is not necessary so there may be some wiggle room to adjust the dimensions in this area.

Third Response 25.11.24:

No concerns with access geometry. The surfacing should be consistent in terms of finish when built.

Response to Framework Travel Plan and Transport Statement 11.11.24:

The number of staff anticipated at the site is not clear; please could this be confirmed? This will help consider potential measures, and monitoring.

Full contact details of the SWTPC should be supplied to NCC now This can be an interim TPC (e.g. a representative of the developer or their agent) until such a time as a permanent TPC is appointed.

One of the key roles of the SWTPC (and Unit TPCs) should be as the first point of call for staff members regarding any travel and transport queries.

The number of car parking spaces and the proportion of spaces that will be allocated to motorcycles, disabled users, car share users, visitors and staff is not clear.

The formal monitoring period and period in post of the TPC should run from prior to first operation to a point five years following 50% occupation of the site

Targets should be set now, not following the baseline survey, and be consistent with the TS. Primary targets should be based upon trip generation. The TA / TS associated with the proposal should have provided an estimate of trips associated with the site, and therefore this is the basis on which targets should be set (i.e. include one table showing the values used in the TA / TS, and a further table showing the target trip generation with the Travel Plan in place).

The mode share targets should then be used as a secondary target.

The Travel Plan should aim for 100% TP awareness as a secondary target

In addition to the measures included within the Travel Plan, the following should also be included:

- i. Showering and changing facilities and lockers should be made available for cyclists and motorcyclists.
- ii. Participation in national promotional events, such as cycle to work day. Local promotional events are proposed in Paragraph 5.16, but a firm commitment towards these is not provided.
- iii. The TPC should advertise nearby cycle training and maintenance sessions (e.g. Dr Bike), or provide an on-site training / cycle maintenance session if there is sufficient demand.
- iv. A firm commitment towards signing up to the Cycle2Work tax incentive should be provided.
- v. Taster public transport tickets should be provided to staff on opening. The provision of taster public transport tickets is now common practice amongst workplace and residential travel plans. A cycle voucher of equivalent value could also be offered to staff on a redemption basis as an alternative to provide them with the opportunity of purchasing a bicycle / cycle equipment).
- vi. A Bicycle User Group (BUG) should be set up for those who cycle to work.
- vii. Why is car share reliant on word of mouth, rather than active promotion? Also, and as above, this measure would be usefully reinforced through the provision of dedicated car share spaces on opening.

Monitoring reports should be supplied to NCC within one month of collating data.

Surveys should be seen and approved by NCC prior to issue.

The Travel Plan should commit to a three-year review and evaluation with NCC.

Firm commitments to all measures, monitoring and targets should be provided (things “will” happen instead of “would/could”).

The Travel Plan should commit to remedial measures if the TP fails to achieve its targets at the end of the monitoring period, which (at minimum) should include an extension to the monitoring period (as well as an extension to the TPCs period-in-post) and a full review of measures.

Paragraph 1.3 and 3.4 refers to this document as a “TS”. This should be corrected as it is a Travel Plan.

- **Lead Local Flood Authority** – Advise a precommencement condition requesting a detailed surface water drainage scheme based on the submitted Flood Risk Assessment and Drainage Strategy
- **NHS Nottingham and Nottinghamshire Integrated Care Board (ICB)**: no contributions requested as does not facilitate residential accommodation

- **Active Travel England (ATE):** no comments to make as does not meet statutory threshold
- **Environment Agency:** no formal comments as site is within Flood Zone 1
- **Severn Trent Water:** no comments received.
- **Nottinghamshire Wildlife Trust:**

First response 11.10.24:

Believe that impacts to protected / notable species are likely to be limited to nesting birds / foraging bats / hedgehogs. Precautionary working methods for nesting birds and hedgehogs (i.e. timings for vegetation removal), retention of trees and a sensitive lighting strategy for foraging and commuting bats are welcomed

Main concern is in relation to the proposed planting as we do not believe that it adequately mitigates the loss of the existing on-site habitats. Currently, along the northern elevation there is a line of scrub species including “*snowberry, viburnum, buddleia, escallonia, common ash, veronica, berberis, dogwood, and cotoneaster*”. Although, the majority of these species are non-native, they do provide suitable structure for nesting birds, the flowering species will also provide pollinator potential, and the fruiting plants will provide a food resource for urban bird species.

The ecologist advises the planting of native shrubs species. However, aside from butchers’ broom, there are no scrub species. Thus, no habitat for nesting birds. We recommend that the planting plan is revised to include some native scrub species and pollinator-friendly plants.

Ecological enhancements including bird and bat boxes have been advised by the ecologist. Ideally, these should be woodcrete (or similar) rather than timber (for longevity) and installed on suitable retained trees.

Second response 18.11.24:

Satisfied with the amendments. The existing scrub is to be retained, allowing for bird nesting opportunities, and a range a native / pollinator-friendly planting has been proposed.

The landscape architect has advised that the native shrubs that we advised in our previous response were deemed inappropriate for the space due to their potential to grow tall and obscure views. We accept that without annual maintenance, the shrubs will exceed heights of 2m, thus may be inappropriate on this occasion. In the absence of these berry-species, please consider planting a berry tree (Ls04) such as a rowan, fastigate varieties may be considered such as *Sorbus aucuparia* 'Joseph Rock' or *Crataegus monogyna* 'Stricta' (hawthorn).

7. Neighbours

- 43 neighbours were consulted on the application and the following responses were received: one raising no objection, four raising objections and one neutral comment which are summarised as follows:
 - Overpowering to residential houses
 - Loss of privacy, natural light and views
 - Sense of enclosure
 - Cause claustrophobia
 - Noise and disturbance including from construction noise
 - Smell from public toilets and proximity to houses
 - Anti-social behaviour
 - Layout is too large
 - Unable to access driveway and struggle with illegal parking currently
 - Increase in traffic and on-street parking
 - Car park should be retained
 - Loss of car park events
 - Older people will be deterred from using town centre
 - Public toilets and car parking space are on top of steep hill which are difficult to be accessed by elderly
 - Minimal economic benefits
 - Impact on house prices 1
 - Questions in respect of disability access/mobility/functionality

8. Evaluation

8.1 Principle

It is considered the principle of a building of this nature is well placed within a town centre. Its main purpose is to serve the community and will largely be accessed by passersby and those on foot.

The building will support the local community and economy and it is considered the design, massing and scale have been carefully considered to compliment the public realm which is not to the detriment of the amenity of neighbouring properties.

The benefits of the scheme with it serving the public, contributing to the local economy, having a sustainable, acceptable design and being adaptable to future change are considered to outweigh any negatives of the scheme.

9. Design and Layout

It is considered the building has been thoughtfully designed in respect of its massing, scale, height, materials and how it responds to the wider landscape. This will be a flagship building that addresses the corner of Derby Road and Victoria Street which is considered to be important to ensure it has an active presence within Stapleford Town Centre.

The building will be two to three storeys in height with the larger element fronting

Derby Road which will have a cantilevered roof. The area underneath and in front of the front element will create an active frontage that integrates with town centre frontage. The larger massing of the building to the front with open space below and in front is considered to create a focal point and strong visual appearance.

The building has then been designed to reduce in its prominence to the rear the further it extends back from the town centre towards the more built up residential area of Victoria Street and Eatons Road. The building then has a partially cladded/glazed recess feature which is considered to give the illusion of it being split into two buildings between the three and two storey element. In relation to the height, the building is not that much taller than the properties along Victoria Street that it will not dwarf these in height. Whilst the building is taller than the PoundStretcher building, it is much smaller in width that the balance between the additional height is considered to not appear domineering.

The overall appearance of the building is considered to be a blend of largely contemporary design, to create a development that is striking in design but also complimentary of the surrounding vernacular. The fenestration breaks up the massing of the building which adds visual interest but also allows for outsiders passing by the look in, showcasing the internal activities. The symmetrical appearance of the windows also gives a linear

The entirety of the site is not utilised by the building which provides some openness and retains most of the existing trees along Victoria Street to soften the appearance of the building. The car parking area to the rear provides a visual break between the building and residential area.

The materials range from bricks, corrugated powder-coated metal sheets, mesh signage, stonecrete render and aluminium which are considered acceptable and reflect a contemporary design. The use of such a pallet of materials also breaks up the massing of the building and provides visual interest. Materials samples will be requested in advance of any above ground works to ensure these are of an acceptable quality.

To conclude, it is considered the building has been designed to represent a striking visual appearance but is still respectful of the local architectural vernacular. The building is broken up and reduces in massing to the rear which responds to the increase in ground level. Overall, the building is considered to be designed to a good standard and is appropriate within this town centre location.

Use

The enterprise hub, named “The Pencil Works” will provide mixed use spaces at ground floor level with studios that can be rented out for sales and displays by independent retailers or hired for public use as galleries or well-being activities.

The upper floors will provide safe accessible space for offices that can be occupied by large or small businesses to encourage a work/home life balance. The overall use of the building has been designed to be flexible so it can adapt to the changing requirements of local residents.

The rear car park can be used for flexible outdoor uses such as food markets, performances and open air exhibitions.

The building has been designed to be a low carbon, low maintenance building internally and externally. It will have features such as recycling, rainwater capture, insulation, low carbon low maintenance materials, ground source heat pumps, cycle racks, electrical charging facilities, electrical charging for cars and encourage the use of walking.

10. Amenity

The neighbours that will be mostly effected by the proposal will be those positioned along Victoria Street.

The building will not facilitate any residential accommodation so it is unlikely there will be significant issues with overlooking which is commonly seen from habitable rooms.

Noise and disturbance will be experienced from the construction of the building but this will be over a temporary period. It is also acknowledged there will be an increase in noise and disturbance once the building is complete but given this is a town centre location, a level of noise and disturbance is experienced and expected. It is considered this would not be significant enough to the detriment of neighbouring properties.

The building will extend from between no. 4 to 22A Victoria Street which is 11 houses. The building will be on average 16m in separation distance with an intervening road and most of the existing trees remaining in situ. The building will not directly adjoin any private rear amenity space belonging to a residential dwelling and the building will not be occupied by residential dwellings. It is considered that whilst the windows will have a view of those properties along Victoria Street, for the reasons mentioned above, the level of overlooking and impact on amenity is not significant to warrant refusal and has been carefully considered.

The building is considered to be reasonable distance from properties on Eaton Road that there will be minimal impact on their amenity. The building is also considered to be a significant enough distance from any other property that there will be minimal impact on any other neighbouring properties amenity.

During the course of the application an updated Acoustic Report was submitted and further comments in respect of this will be included as a late item.

To conclude, whilst it is acknowledged there will be some noise and disturbance whilst construction works are being undertaken, it is likely this will be temporary. The day-to-day running's of the building will increase noise and disturbance which is to be expected and already experienced in a town centre; however, it is still considered this will not be to the detriment of neighbouring properties or cause a significant nuisance. The car park has reduced in size and therefore the comings and goings of cars will be reduced which in turn reduces the disturbance of

slamming doors. It is considered the building has been designed in a way that it has considered the amenity of surrounding neighbours.

11. Biodiversity Net Gain and Ecology

The overall habitat biodiversity off site has been demonstrated as increasing by 10.56% for biodiversity units. Whilst this is not usually the preferred approach, considering the site is brownfield and in a centre of town location, this approach is considered acceptable and policy compliant. The LPA accepts the findings of the report and that the site achieves the baseline of biodiversity net gain requirements off site.

As such, it is considered sufficient information has been provided in order to conclude that a minimum of 10% Biodiversity Net Gain will be achieved off site, meaning the application would comply with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). A Section 106 will be secured to ensure the implementation and monitoring of this.

Nottinghamshire Wildlife Trust (NWT) were consulted on the application in respect of ecology and confirmed that with additional amendments provided by the agent in respect of species of shrubs. They have confirmed they are satisfied with the amendments and accept the practicality of lower lying shrubs to ensure maintenance is easily managed.

12. Access and Parking

Whilst it is acknowledged the site will mean the car park is largely removed (existing car park has 56 spaces, including 6 disabled spaces and 4 with electrical charging points) from the town centre, some parking will be retained to the rear. Three disabled spaces and 13 spaces will serve the site. Given the location of the site in a town centre which means access is most likely by foot and bus, the building not serving residential accommodation and with no concerns raised by the Highways Authority, it is considered this is an acceptable number of spaces to serve the site.

Access into the site will be on foot via Derby Road through the front of the building or from Derby Road up a stepped access along Victoria Street due to the increase in gradient of the site. The existing car park is accessed by cars via a one way in, one way out system and it is accessed by foot from various points. The new building will still be accessed on foot at various points but the existing entrance and exit will be stopped up and a new two-way entrance/exit will be constructed slightly further towards the rear of the site.

The Highways Authority raised concerns in respect of vehicle tracking with private bin collection and stated the following *“The manoeuvre of a refuse wagon is particularly close to adjacent parked cars which may not be necessary if undertaken by the Borough Council as their vehicle will remain on highway. If waste is collected privately, then the access should be widened to reduce the likelihood of vehicle conflicts when entering/leaving. It should also take the form of*

a footway crossing and not a kerbed radii junction.”

The agent provided an updated site plan and the Highways Authority raised no concerns with the new access geometry and stated that's surfacing should be consistent in terms of the finish when built. It is considered this is acceptable.

The Framework Travel Plan and Transport Statement were reviewed by the Highways Authority and a number of queries were raised which are detailed in Section 5.1 under the Highways Authority response. A revised Framework Travel Plan and Transport Statement were submitted in response to these comments and comments are awaited by the Highways Authority.

It is considered the proposed access and parking arrangements are suitable to serve the site and the Highways Authority has not raised any objection to this. Whilst it is acknowledged there could be some on-street parking associated with the site if the car park is full, this will be displaced further around nearby streets due to on-street parking restrictions.

13. Drainage and surface water run-off

As this is a major application the Environment Agency and Lead Local Flood Authority were both consulted.

The Environment Agency has not raised any specific comments in relation to the scheme in respect of flooding as it is located in Flood Zone 1. It should also be noted that the site is currently hardstanding and the majority of the existing trees will be retained and there will be provision for new landscaping.

The Lead Local Flood Authority has advised a precommencement condition in respect of providing a drainage strategy with detailed calculations, designs and long term drainage maintenance of the sites. On submission of these details further consultation with the Lead Local Flood authority will be undertaken to ensure drainage matters have been addressed to a satisfactory manner.

14. Trees

The majority of the trees on site will be retained but two will be removed due to the entrance/exit serving the car park. It is considered this is acceptable and means the building will not appear as stark from the existing soft landscaping.

15. Other Matters

Public toilets are proposed to the rear of the building but will be enclosed within the building with a door accessed via the car park. The toilets will be accessible and include changing facilities.

The public toilets are enclosed within the building and therefore it is highly unlikely they will create smells that are experienced by residential properties close to the site. Furthermore, the toilet cubicles do not directly open onto the car park and

are enclosed by a door. The toilets will only be open in line with the building hours and therefore it is extremely unlikely they will cause antisocial behaviour. The toilets will be accessible from a flat surface.

Whilst events are hosted on the existing car park and there is a reduction in outdoor space, the car park could still provide events in a smaller capacity and the overall benefits of the building are considered to outweigh the loss of occasional events.

Impact on house value is not a material planning consideration.

It is considered the building will enhance and contribute to the economy of Stapleford town centre and will not deter people from using it.

Matters in relation to illegal parking and anti-social behaviour should be reported to the police.

A loss of view is not a material planning consideration.

The bin store will be enclosed in a fire-resistant compound in response to the concerns raised by waste and recycling and the bins positioning next to the Poundstretcher building.

The Nottinghamshire County Council has requested bus stop contributions totalling £14,100 and a sum of £10,000 to determine if it is feasible for Victoria Street and Eatons Road to be dedicated mixed traffic streets. It is considered unjustifiable to request financial contributions as substantial surveys were carried out during the Stapleford Town Deal project and it was determined that neither Victoria Street nor Eaton's Road were suitable for mixed traffic streets. Furthermore, the existing bus infrastructure is sufficient to cover a development that does not add any further residential units to the area.

All doors will be wheelchair accessible and there is an accessible lift to all office floors.

The building has a number of entrances with level access from the street. The street is on a slope but level access at various points on the slope are maintained.

There is one entrance to offices via lobby with lift/stairs, one entrance to cafe, one entrance to makers space and three entrances to three retail spaces.

Toilets will be fully accessible with a changing places unit. High contrast is planned with large icons.

Entrances to the building are from a number of points. The café is planned for the lowest level fronting Derby Road. The entrance to the upper floors is at the lobby, the first set of doors on Victoria Street, and is accessible from the path.

16. Planning Balance

The proposed building will serve the local residents of Stapleford as an ‘Enterprise Hub’ which will attract local businesses and retailers contributing to the local economy. The building will be adaptable to meet the requirements and needs of the local community. Whilst it is acknowledged there will be some impacts on amenity for nearby residents, such as experiencing noise and disturbance during the construction phase, it is considered this will not be significant and outweigh the positives of the scheme. On balance, it is considered that the benefits of the scheme outweigh any negatives and the overall scheme is compliant with national and local plan policies.

17. Conclusion

It is concluded that, having regard to the relevant policies of the Local Plan, national planning guidance and to all other material considerations including the Public Sector Equality Duty and comments raised in the representations received, the development is acceptable and that there are no circumstances which otherwise would justify the refusal of permission.

18. Recommendation

It is recommended that planning permission be Granted subject to the following conditions for the reasons stated below.

<u>Recommendation</u>	
<p>The Committee is asked to RESOLVE that the Head of Planning and Economic Development be given delegated authority to grant planning permission subject to:</p> <ul style="list-style-type: none"> (i) Prior completion of an agreement under Section 106 of the Town and Country Planning Act 1990 to secure the provision of Biodiversity Net Gain (ii) the following conditions: 	
1.	<p>Condition:</p> <p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p>Reason:</p> <p><i>To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>Condition:</p>

	<p>The development hereby permitted shall be carried out in accordance with the plans</p> <p>Received by the Local Planning Authority on 1 October 2024:</p> <ul style="list-style-type: none"> • Existing Site Plan and Elevation ref: 3572-MAB-00-00-D-A-0101 rev: P01 • Sections – Stage 3 ref: 3572-MAB-00-ZZ-D-L-4410 rev: P01 • Proposed Ground Floor Plan ref: 3572-MAB-ZZ-00-D-A-0120 rev: P05 • Proposed First Floor Plan ref: 3572-MAB-ZZ-01-D-A-0121 rev: P02 • Proposed Second Floor Plan ref: 3572-MAB-ZZ-02-D-A-0122 rev: P02 • Proposed Roof Plan ref: 3572-MAB-ZZ-RF-D-A-0123 rev: P01 • Proposed Elevations ref: 3572-MAB-ZZ-ZZ-D-A-0160 rev: P02 • Proposed Elevations ref: 3572-MAB-ZZ-ZZ-D-A-0161 rev: P03 • Proposed Elevations ref: 3572-MAB-ZZ-ZZ-D-A-0162 rev: P02 • Proposed Sections ref: 3572-MAB-ZZ-ZZ-D-A-0170 rev: P02 • Proposed Sections ref: 3572-MAB-ZZ-ZZ-D-A-0171 rev: P02 • Proposed Sections ref: 3572-MAB-ZZ-ZZ-D-A-0172 rev: P02 <p>Received by the Local Planning Authority on 4 October 2024:</p> <ul style="list-style-type: none"> • Block Plan ref: 3572-MAB-00-00-D-L-0103 rev: P01 <p>Received by the Local Planning Authority on 15 November 2024:</p> <ul style="list-style-type: none"> • Landscape Masterplan Stage 3 ref: 3572-MAB-00-00-D-L-4000 rev: P03 <p>Reason:</p> <p><i>For the avoidance of doubt.</i></p>
<p>3.</p>	<p>Condition:</p> <p>No development shall commence until a remediation scheme to ensure safe development and mitigate any potential risks from asbestos containing materials in the ground has been submitted to and approved in writing by the Local Planning Authority. The agreed remediation scheme shall be implemented in full during development.</p> <p>In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination, development must be halted on that part of the site. An assessment must be undertaken in accordance with good practice and where remediation is necessary a remediation</p>

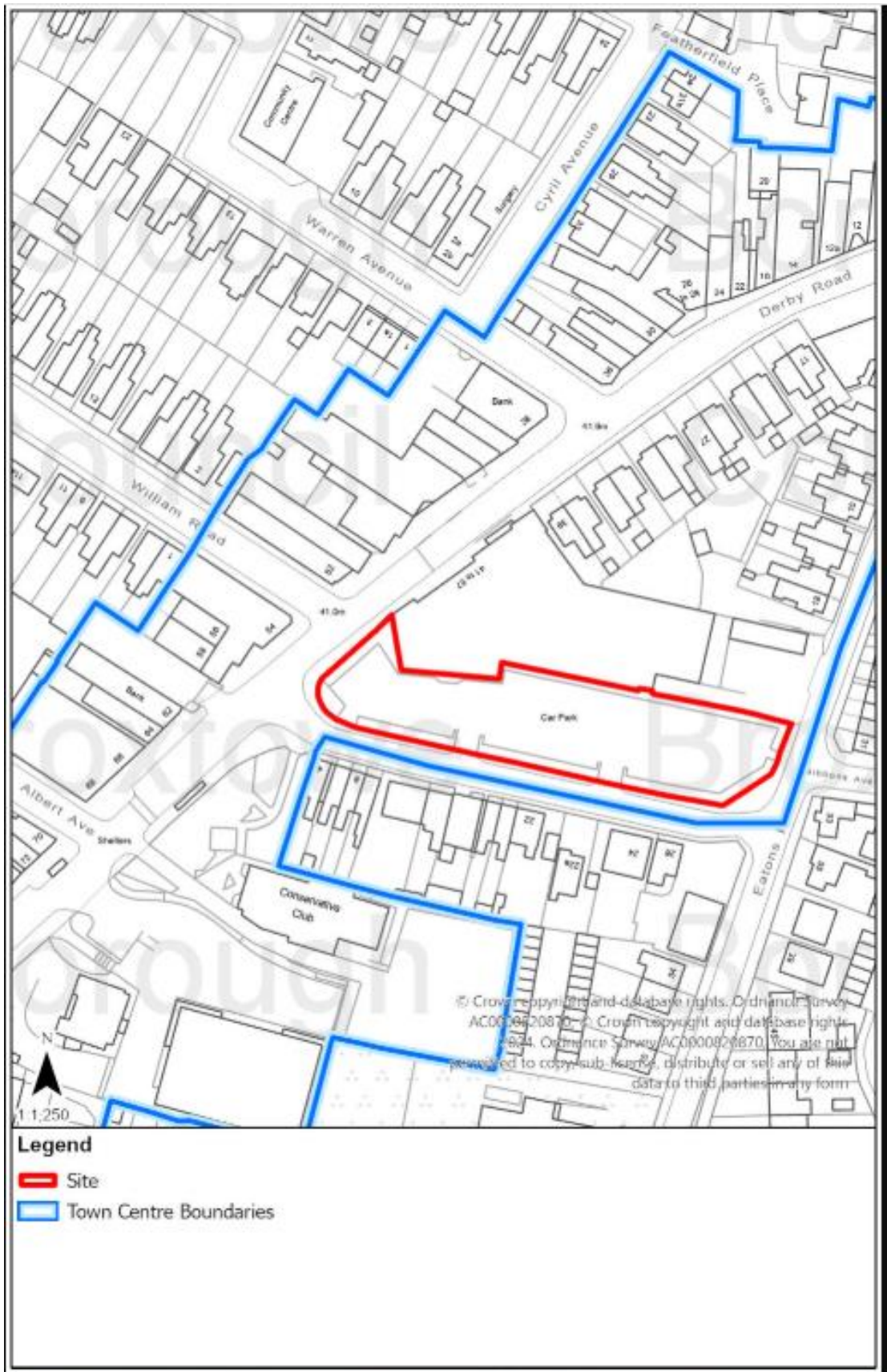
	<p>scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason:</p> <p><i>No such details were submitted with the application and in the interests of public safety and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
<p>4.</p>	<p>Condition:</p> <p>No development shall commence until a detailed surface water drainage scheme based on the principles set forward by the Outline Drainage Strategy SEH-BWB-EXT-XX-TN-D-0500, dated 8.9.24 by BWB, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development.</p> <p>The scheme to be submitted shall:</p> <ul style="list-style-type: none"> • Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753 and NPPF Paragraph 175 • Limit the discharge generated by all rainfall events up to the 100 year plus 40% (climate change) critical rain storm to QBar rates for the developable area • Provide detailed design (plans, network details, calculations and supporting summary documentation) in support of any surface water drainage scheme, including details on any attenuation system, the outfall arrangements and any private drainage assets <p>Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change return periods.</p> <ul style="list-style-type: none"> - No surcharge shown in a 1 in 1 year - No flooding shown in a 1 in 30 year - For all exceedance to be contained within the site boundary without flooding properties in a 100 year plus 40% storm. <ul style="list-style-type: none"> • Evidence to demonstrate the viability (e.g Condition, Capacity and positive onward connection) of any receiving watercourse to accept and convey all surface water from the site • Details of STW approval for connections to existing network and any adoption of site drainage infrastructure

	<ul style="list-style-type: none"> • Evidence of approval for drainage infrastructure crossing third party land where applicable • Provide a surface water management plan demonstrating how surface water flows will be managed during construction to ensure no increase in flood risk off site. • Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term effectiveness. <p>Reason:</p> <p><i>Insufficient information was submitted and to ensure there is sufficient surface water management, the development is not at risk of flooding of increasing flooding off-site and in accordance with Policy 1 of the Part 2 Local Plan (2019) and Aligned Core Strategy (2014).</i></p>
<p>5.</p>	<p>Condition:</p> <p>No development shall commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall include:</p> <ul style="list-style-type: none"> a) the means of access for construction traffic; b) parking provision for site operatives and visitors; c) the loading and unloading of plant and materials; d) the storage of plant and materials used in construction the development; e) a scheme for the recycling/disposal of waste resulting from construction works; f) details of dust and noise suppression to be used during the construction phase; and g) Details of a scheme for the identification and safe removal of asbestos containing material (if identified). <p>Reason:</p> <p><i>To protect the amenity of neighbouring residents and in accordance with Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
<p>6.</p>	<p>Condition:</p> <p>No above ground works shall commence until samples of external facing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed only in accordance with the approved details.</p> <p>Reason:</p>

	<p><i>Insufficient details were submitted with the application and in the interests of the appearance of the development and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
<p>7.</p>	<p>No above ground works shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:</p> <ul style="list-style-type: none"> a) numbers, types, sizes and positions of proposed trees; b) details and elevational plans of any new boundary treatments; c) details and elevational plans of bin stores, cycle racks and substation; c) proposed hard surfacing treatment; and e) timetable for implementation of the scheme. <p>The approved scheme shall be carried out strictly in accordance with the approved details and shall be carried out not later than the first planting season following the substantial completion of the development and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased, shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p><i>Reason:</i></p> <p><i>Insufficient details were submitted with the application and to ensure the development presents a satisfactory standard of external appearance to the area and in accordance with the aims of Policies 17 and 31 of the Part 2 Local Plan (2019) and Policies 10 and 17 the Broxtowe Aligned Core Strategy (2014).</i></p>
<p>8.</p>	<p>Condition:</p> <p>No sound reproduction or amplification equipment (including public address systems, loudspeakers, etc) which is audible at the site boundary shall be installed or operated on the site without prior written consent of the Local Planning Authority.</p> <p><i>Reason:</i></p> <p><i>To protect nearby occupants from excessive operational noise and in accordance with Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
<p>9.</p>	<p>Condition:</p> <p>The building shall not be open to the use of the public except between the hours of 07:30-23:00 Monday to Sundays</p>

	<p>Reason:</p> <p><i>To protect nearby occupants from excessive operational noise and in accordance with Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
	<p>NOTES TO APPLICANT</p>
<p>1.</p>	<p>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</p>
<p>2.</p>	<p>The applicant is advised to contact the licensing team on 0115 9173485 to register any activity and for advice on complying with current Licensing regulations prior to opening.</p>
<p>3.</p>	<p>The applicant is advised to contact the Food and Occupational Health team on 0115 9173485 to register any activity and for advice on complying with current Food Safety and Health and Safety regulations prior to opening.</p>
<p>4.</p>	<p>The applicant is advised that under the current British Standard 6465 for sanitary provision any proposed restaurant / café will required to comply with the aforementioned standard.</p>

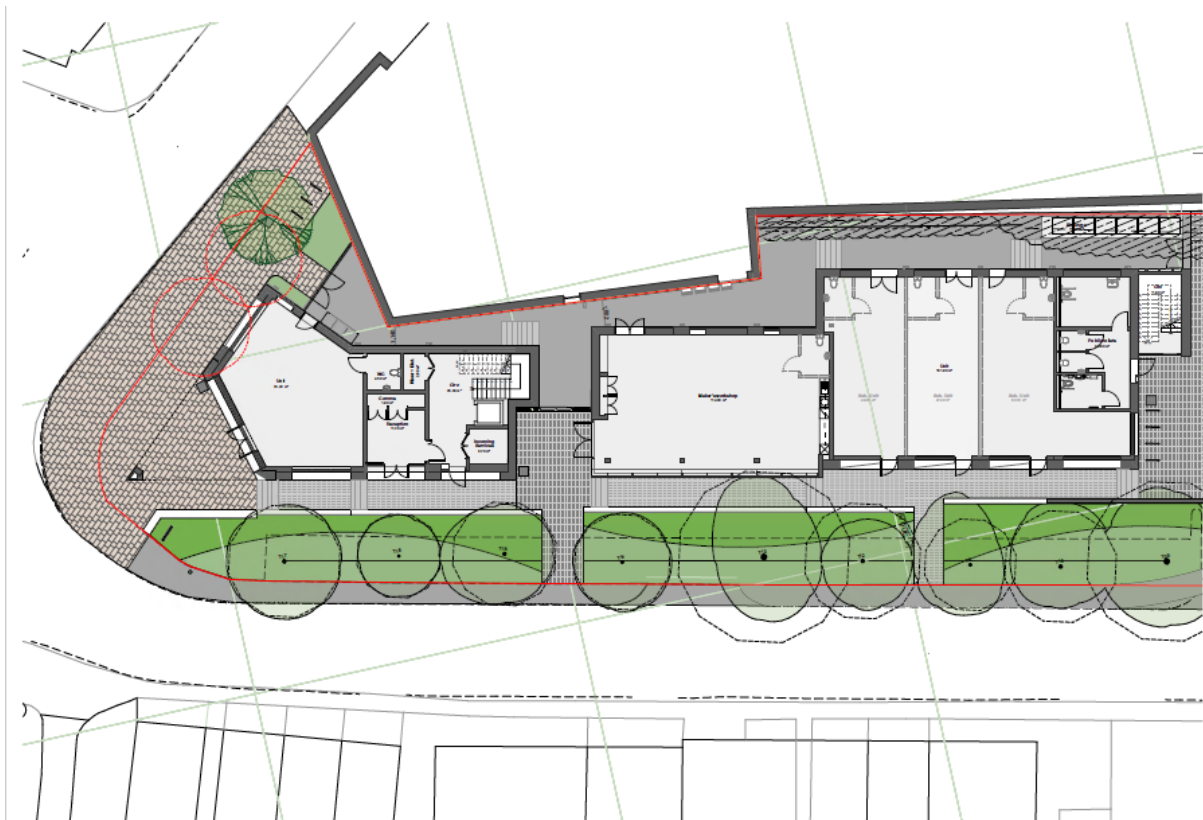
Map



Plans (Not to Scale)

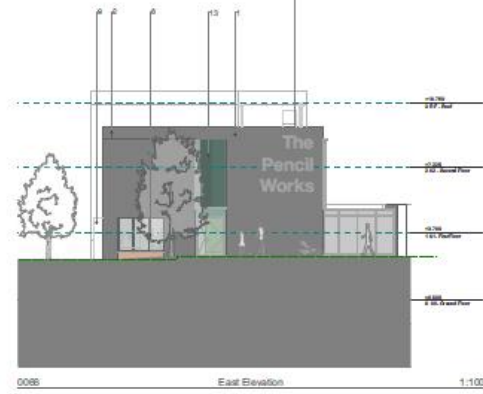
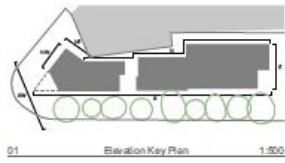


Site Plan



Ground Floor Plan

Plans (Not to Scale)

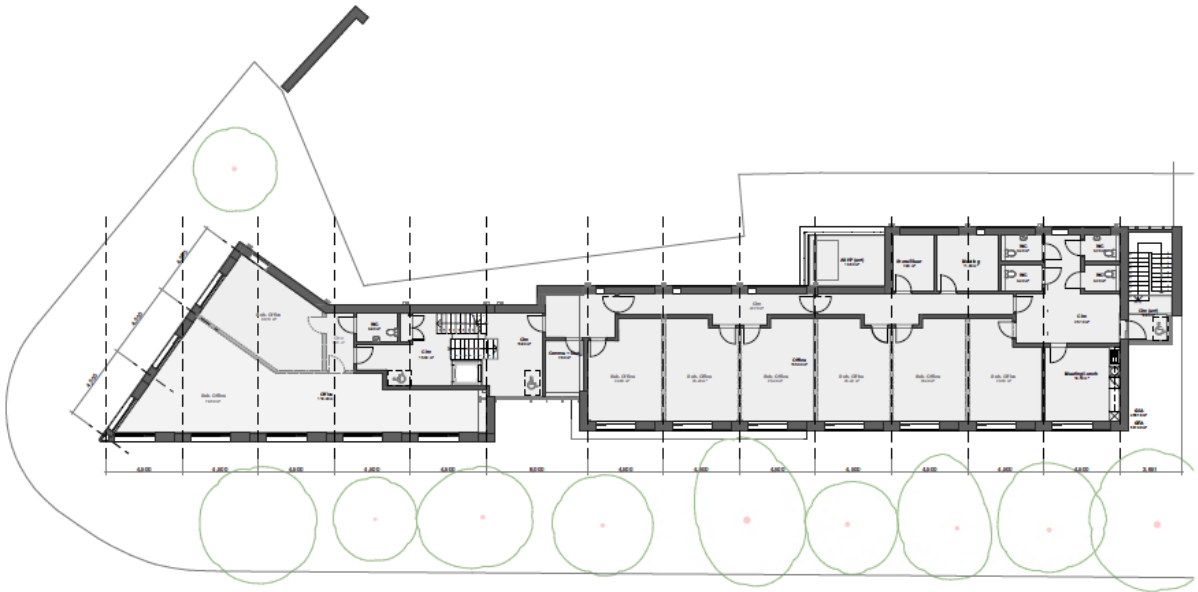


North West (front) and East (rear) elevations

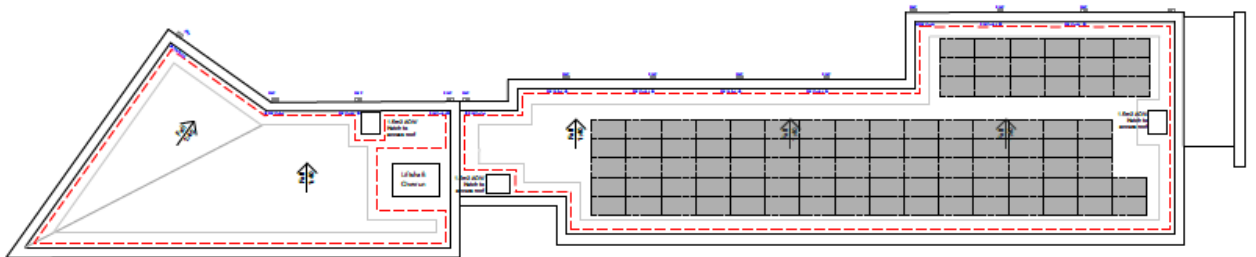


South (side) Elevation

Plans (Not to Scale)



Second Floor Plan



Roof Plan