

**My Ref:** 23/00590/PFUL3 (PP-12066140)  
**Your Ref:**  
**Contact:** Mr Phil Shaw  
**Email:** development.management@nottinghamcity.gov.uk



**Nottingham  
City Council**

Development Management  
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Loxley House  
Station Street  
Nottingham  
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FAO Mr Nick Grace  
2 Hollowstone  
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NG1 1JH

Date of decision: 19 May 2023

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

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Application No: 23/00590/PFUL3 (PP-12066140)  
Application by: Radford Properties  
Location: 15 Little Tennis Street, Nottingham, NG2 4EL  
Proposal: Use as Self Storage Facility and Office Space. Insertion of mezzanine floor.

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

**Time limit**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

*Reason: In accordance with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.*

**Pre-commencement conditions**

(The conditions in this section require further matters to be submitted to the local planning authority for approval before starting work)

There are no conditions in this section.

**Pre-occupation conditions**

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

2. No part of the development hereby permitted shall be brought into use until all damaged or altered areas of public highway (including redundant vehicle/pedestrian accesses) have been reinstated.

*Reason: In the interests of highway safety in accordance with Policy 10 of the Aligned Core Strategies and Policy DE1 of the Local Plan.*

**Regulatory/ongoing conditions**

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



There are no conditions in this section.

### **Standard condition- scope of permission**

S1. Except as may be modified by the conditions listed above, the development shall be carried out in complete accordance with the details described in the forms, drawings and other documents comprising the application as validated by the council on 3 April 2023.

*Reason: To determine the scope of this permission.*

### **Informatives**

1. This permission is valid only for the purposes of Part III of the Town & Country Planning Act 1990. It does not remove the need to obtain any other consents that may be necessary, nor does it imply that such other consents will necessarily be forthcoming. It does not override any restrictions contained in the deeds to the property or the rights of neighbours. You are advised to check what other restrictions there are and what other consents may be needed, for example from the landowner, statutory bodies and neighbours. This permission is not an approval under the Building Regulations.

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

#### **3. 1. HIGHWAY LICENCES**

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 will be required. Please contact them via [HighwayApprovals@nottinghamcity.gov.uk](mailto:HighwayApprovals@nottinghamcity.gov.uk) or 0115 8765293. All costs shall be borne by the applicant.

#### **2. SECTION 278 AGREEMENT - OFF-SITE HIGHWAY WORKS**

- In order to carry out any off-site highway works required, you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which the applicant has no control. In order to undertake any highway works you will need to enter into an agreement under Section 278 of the Act. The applicant must contact the Technical Services Team via email at [Highway.Agreements@nottinghamcity.gov.uk](mailto:Highway.Agreements@nottinghamcity.gov.uk) 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.

- 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.

#### **3. WORKPLACE PARKING LEVY (WPL)**

If the applicant is providing an element of on-site parking for staff as a result of this application, under the Workplace Parking Levy (WPL) scheme, they have a legal obligation to contact the WPL Team at [wpl@nottinghamcity.gov.uk](mailto:wpl@nottinghamcity.gov.uk) or phone on 0115 8765050 to obtain a licence and find out if a fee will be required. The applicant can also check whether they need a WPL licence by clicking on the following link: [Check if you need a WPL Licence - Nottingham City Council](#)

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.



Paul Seddon  
Director of Planning and Transport



## **RIGHTS OF APPEAL**

Application No: 23/00590/PFUL3 (PP-12066140)

If the applicant is aggrieved by the decision of the City Council to impose conditions on the grant of permission for the proposed development, then he or she can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Any appeal must be submitted within six months of the date of this notice. You can obtain an appeal form from the Planning Inspectorate website at <https://www.gov.uk/appeal-planning-decision>.

The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay.

The Secretary of State need not consider an appeal if the City Council could not for legal reasons have granted permission or approved the proposals without the conditions it imposed.

In practice, the Secretary of State does not refuse to consider appeals solely because the City Council based its decision on a direction given by him.

## **PURCHASE NOTICES**

If either the City Council or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. This procedure is set out in Part VI of the Town and Country Planning Act 1990.

## **COMPENSATION**

In certain limited circumstances, a claim may be made against the City Council for compensation where permission is refused or granted subject to conditions by the Secretary of State. The circumstances in which compensation is payable are set out in Section 114 of the Town & Country Planning Act 1990.



## **DECISION NOTICE APPENDIX: DELEGATED REPORT**

This report sets out the reason for the decision, taken by officers under the terms of the Council's Scheme of Delegations, and includes a summary of relevant planning policies.

### **LIST OF RELEVANT POLICIES**

#### **Nottingham Local Plan (November 2005):**

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#### **National Planning Policy Framework**

The NPPF advises that there is a presumption in favour of sustainable development and that applications for sustainable development should be approved where possible. Paragraph 126 notes that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve, and that good design is a key aspect of sustainable development.

Paragraph 130 of the NPPF states that planning policies and decisions should ensure that developments:

- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

#### **Aligned Core Strategy**

Policy A: Presumption in Favour of Sustainable Development - working proactively with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Policy 1: Climate Change - development proposals will be expected to mitigate against and adapt to climate change.

Policy 4: Employment Provision and Economic Development.



Policy 10: Design and Enhancing Local Identity - new development should be designed to create an attractive, safe, inclusive and healthy environment.

## **Land and Planning Policies - Local Plan Part 2**

Policy CC1: Sustainable Design and Construction - All development proposals (including changes of use) will be expected to maximise opportunities to incorporate sustainable design.

Policy DE1: Building Design and Use - Buildings must be designed to fulfil their function effectively, but consideration must also be given to the way they impact on the surrounding townscape, landscape and neighbouring properties. They must enhance the local environment, contributing to the vitality of areas and improve community safety.

Policy DE2: Context and Place Making - Development proposals should help to reinforce and enhance positive characteristics and create attractive new places.

Policy RE1: Facilitating Regeneration - Planning permission will be granted for proposals which do not prejudice the wider regeneration and transformation of the Waterside area.

Policy RE8: Waterside.

## **SUMMARY OF RESPONSES TO CONSULTATION**

Nine neighbours notified by letter dated 11.04.2023. The consultation period expired on 05.05.2023. No representations have been received.

The following have also been consulted:

Highways - no objection.

Environmental Health and Safer Places - no objection.

Planning Policy - Policies RE8 and RE1 of the Local Plan are relevant and there is nothing in these policies that the proposal fails to comply with.

## **APPRAISAL**

### **Site**

The site is an industrial building in an employment area and in the Waterside regeneration area.

### **Proposal**

Planning permission is sought for use as a self storage facility and office space. and the insertion of a mezzanine floor.

### **Main Issues**

#### **i) Principle of the Development (Policies RE1 and RE8 of the LAPP)**

The application site is located within the Waterside regeneration area as defined by the Local Plan. As noted by the Policy team, the proposed use does "not prejudice the wider regeneration and transformation of the [...] Waterside area" (Policy RE1) and does not undermine the delivery of the strategic aims for the regeneration of the Waterside area contained in Policy RE8. There is therefore no objection in principle to the proposal, provided that it complies with the other policies of the development plan.

#### **ii) Highways and Impact on Neighbouring Occupiers (Policy 10 of the ACS and Policies DE1 and TR1 of the LAPP)**

The proposed use is a Class B8 storage use and is compatible with the neighbouring uses, which are primarily Class E and B8 uses. Given that there are no highway objections to the proposal, it is



considered to comply with Policy 10 of the Aligned Core Strategies and Policies DE1 and TR1 of the Nottingham Local Plan.

**Statement Required by Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015**

In granting planning permission for the development, the Local Planning Authority has worked with the applicant in a positive and proactive manner.

**OTHER MATTERS**

N/A

**STREET NAMING AND NUMBERING**

Nottingham City Council has a statutory responsibility for agreeing and registering addresses. If the development will create one or more new addresses or streets (for example a new build or conversion) please contact [address.management@nottinghamcity.gov.uk](mailto:address.management@nottinghamcity.gov.uk) as soon as possible, quoting your planning application reference. Any addresses assigned outside of this process will not be officially recognised and may result in difficulties with service delivery.

