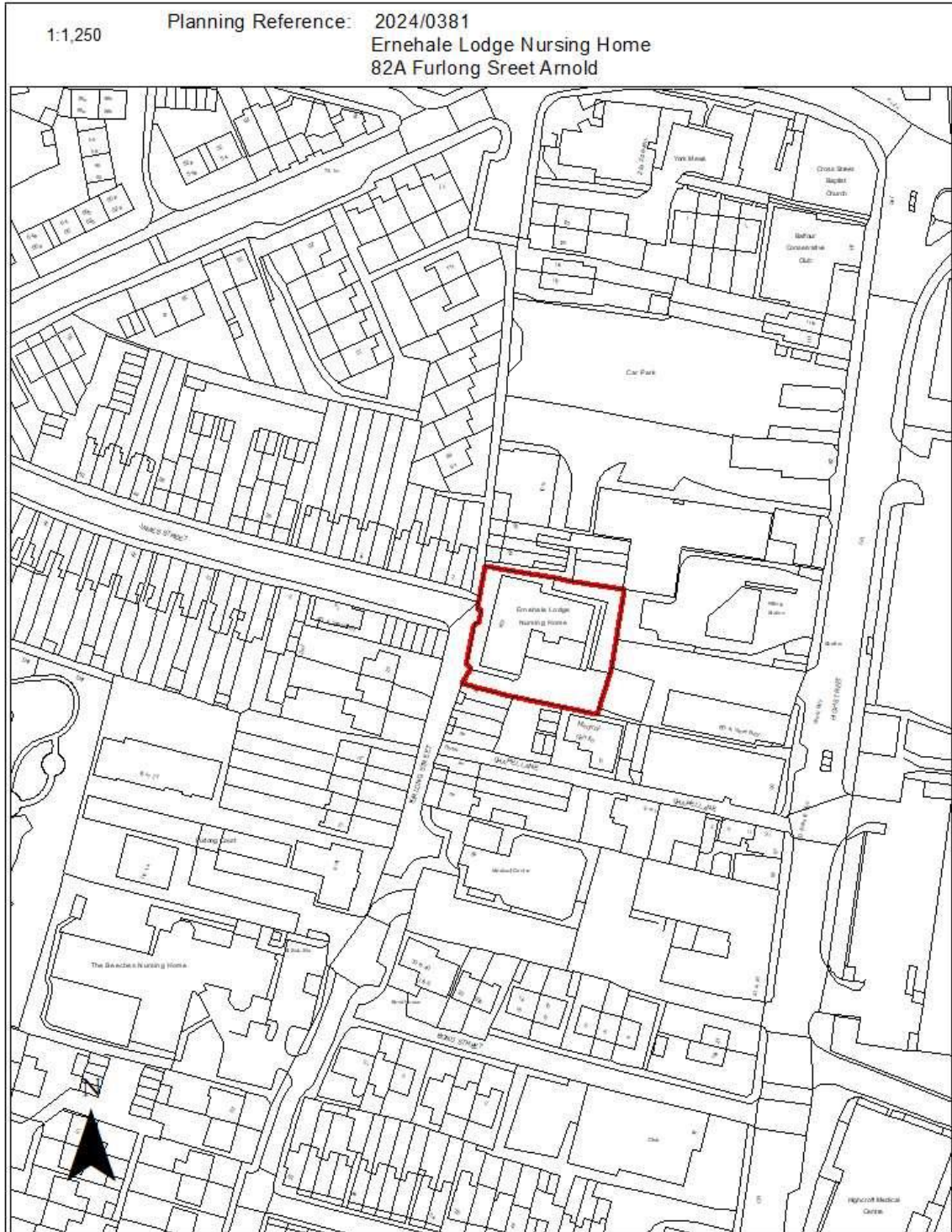




## Planning Report for 2024/0381



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**Report to Planning Committee**

<b>Application No:</b>	<b>2024/0381</b>
<b>Location:</b>	<b>Ernehale Lodge Nursing Home, 82A Furlong Street, Arnold, Nottinghamshire</b>
<b>Proposal:</b>	<b>Change of Use from Nursing Home to 19 No. Dwellings with rear, side and roof extensions and facade alterations</b>
<b>Applicant:</b>	<b>Mr Waseem Shafiq</b>
<b>Case Officer:</b>	<b>Claire Turton</b>

**The application is referred to Planning Committee to comply with the Council's constitution as the development proposes more than 9 dwellings**

**1.0 Site Description**

- 1.1 This application relates to Ernehale Lodge Nursing Home located on the eastern side of Furlong Street at its junction with James Street within the urban area of Arnold. It is located within an established residential area of primarily terraced housing fronting closely onto the public road.
- 1.2 The property has 21 bedrooms (10 single and 11 doubles) and ancillary accommodation set across an L shaped split-level building with a two-storey frontage and a raised single storey rear projection with raised patio area accessed from the car park which is located to the rear of the site.
- 1.3 Beyond the rear projections is a small garden area which backs onto the Asda Petrol Filling Station. The site is also adjoined to the east (rear) by the end gable of a motor service centre, to the south by single storey commercial buildings, garages and rear gardens serving properties on Furlong Street and to the north by the rear gardens of adjoining dwellings on Furlong Street.
- 1.4 Planning permission was previously granted (2020/0880) to extend the Nursing Home to create an additional seven bedrooms, but this has not been implemented and has since expired.
- 1.5 The Nursing Home has been vacant since 2021.

**2.0 Proposed Development**

- 2.1 Full planning permission is sought for;-

*“Change of Use from Nursing Home to 19 No. Dwellings with rear, side and roof extensions and facade alterations.”*

- 2.2 Accommodation would consist of 19 residential flats comprising 1 No. Studio flat, 12 No. 1 bed flats, and 6 No. 2 bedroom flats. There will be 13 No. car parking spaces provided on site along with cycle storage, bin storage and landscaping. 4 of the units will have private amenity space (gardens). The existing access is proposed to be utilised.
- 2.3 The proposed external alterations include the following:
1. Hip to gable roof extension to front part of building and insertion of rooflights to create a second floor.
  2. Extending the rear wing of the building both eastwards and to the southern aspect of the building from approx. 14.8 metres in length x 10 metres in width to approx. 20 metres in length and 10.8 metres in width.
  3. Replacement windows and new windows.
  4. Erection of a dormer extension to the northern elevation of the rear wing to create a windowless corridor.
  5. New 2.4m high timber close boarded boundary fencing to the north and east elevation along with bin store screen to the west elevation.
  6. The removal of the canopy and blocking up of the access at the existing entrance, an entrance door would be created to form a new entrance to the development on the south elevation (facing into the existing car park).
- 2.4 Air source heat pumps were originally proposed to serve the development. However, following concerns from the Environmental Health Officer regarding noise, these have been removed from the scheme. This is discussed in more detail later in this report.

### **3.0 Relevant Planning History**

- 3.1 2023/0605 - Change of use from care home (Class C2) to a 29-bedroom house in multiple occupation (Sui Generis), together with changes to windows and doors and associated development. Refused, February 2024. The reason for refusal was that:-

*“The intensification of the proposed use from a care home to a HMO to accommodate at least 29 people occupying a single building, with shared bathroom and kitchen facilities together with a limited amount of external amenity space would unduly impact on the amenity of neighbouring occupiers within a densely populated area through noise and disturbance. As such the proposal is therefore contrary to paragraph 135 of the NPPF (2023) which requires that planning policies and decisions should ensure that developments “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.” The proposed develop is also contrary to Policies 8 and 10 of the GBACS (2014) and Policies 32, 40, of the adopted LPD (2018).”*

- 3.2 2020/0880 - Construct a new single storey bedroom wing with 'rooms in roof' attic accommodation to the existing Ernehale Lodge Care Home, including minor car parking space modifications. Approved, December 2020

#### **4.0 Consultations**

- 4.1 Gedling Borough Council Environmental Health Officer (Noise) – Initially queried construction times, how the applicant will minimise disruption to neighbours during construction and requested further noise information and specifications regarding the proposed air source heat pumps. However, they now raise no objection to the application.
- 4.2 Gedling Borough Council Environmental Health Officer (Housing) – No objection
- 4.3 Gedling Borough Council Scientific Officer – No objection, subject to conditions regarding electric vehicle charging points and a Construction Emissions Management Plan.
- 4.4 Gedling Borough Council Strategic Housing – 2 no. First Homes are required and 2 no. Affordable Rent.
- 4.5 Gedling Borough Council Waste Services – No objection.
- 4.6 Nottinghamshire County Council Lead Local Flood Risk Authority;- Originally objected due to insufficient information. Now raise no objection subject to a condition in respect of final details of drainage being approved in accordance with the submitted Flood Risk Assessment.
- 4.7 Nottinghamshire County Council Rights of Way – No public rights of way are affected by the proposal.
- 4.8 Nottinghamshire County Council Highways – No objection subject to conditions regarding surfacing material for parking and turning areas and the cycle store being provided prior to implementation.
- 4.9 Nottinghamshire County Council Planning Policy – Will not be seeking a contribution towards education as the number and type of flats are below the threshold for this requirement. Provide advice regarding public health such as connected communities. No objection on the grounds of archaeology.
- 4.10 Nottinghamshire Police – No objection. However, provide comments and recommendations as to how additional security measures would make the development more secure.
- 4.11 NHS (Integrated Care Board) - The number of dwellings fall below their threshold for requesting a Section 106 contribution.
- 4.12 The Environment Agency – No response received.
- 4.13 Severn Trent Water – No response received.
- 4.14 Neighbouring properties were consulted via letter, a site notice was placed at the site and a notice published in the local press. 48 letters have been

received from neighbouring properties. 29 are letters of objection and 17 are letters of support.

Reasons for objection are:-

Highway Safety

Insufficient parking spaces proposed  
The proposal will bring additional vehicles to the street  
The street already suffers with parking issues  
This is a busy pedestrian route  
School children use this road  
Elderly people use this road  
Disabled people use this road  
Emergency services, refuse lorries and delivery trucks already struggle to access the street  
Access down the street is limited  
Need to be able to park close to their house for personal safety  
It is implied by the Highway Authority that they are willing to overlook an under-provision in car parking spaces  
Children can't play out on the street due to cars  
People park on the street who don't live there when visiting the town centre  
Issues for contractor parking  
A parking permit scheme will need to be implemented.  
There are potholes on the road outside which cause issues to cyclists  
If cannot park outside house, would not feel safe walking back from car alone at night

Residential amenity

Overcrowding  
This could accommodate at least 50 new residents  
Number of residents are too high for the location  
The number of residents is more than the previously proposed HMO was  
Very close to existing neighbouring properties  
Overlooking from new dormer windows  
Overlooking from north side of building  
Noise from air source heat pumps  
The bin area is to the front of the property which could increase the potential for smells and rodents  
The entrance being re-located to the rear may cause additional noise issues.  
The previous care home did not cause noise issues  
Nearby schools already cause noise pollution  
Noise from the proposed gardens  
This will change the demographic of the street  
The proposal is causing residents anxiety issues  
The proposal will be detrimental to quality of life to both existing and future residents

Impact on proposed residents

Each flat has the bare minimum facilities  
Useable outdoor space is limited  
These flats are not suitable for people with disabilities  
These flats are not suitable for young families

The flats are too small to be described as luxury

#### Anti-social behaviour

The apartments could house criminals, drug addicts, alcoholics, illegal immigrants, paedophiles, unattached males

Criminal occupiers could damage cars and attack vulnerable adults and children

Would not object if tenants were working professionals

Will not let their children walk to school by themselves if this application is approved

The proposal would result in anti-social behaviour through the volume of additional residents in the high density, low quality accommodation

Security concerns to property and family from increased overlooking

Increase in litter

The site is already a target for anti-social behaviour

No attempt has been made by the owner to maintain the building or keep it secure

The applicant has told neighbours to call him and not the police when there is anti-social behaviour.

The Police have been called out to anti-social behaviour at the site

A car is currently abandoned in the rear car park

Fly tipping is occurring

There are care homes nearby with vulnerable residents

The nearby doctors surgery contains drugs

The submitted documents do not reference crime prevention methods

There could be trouble in Arnold following local outrage to these plans

#### Design / Visual Amenity

Lack of trees / greenery proposed

#### Local Services

Local facilities are past capacity

It will increase costs on local services

The area is already overpopulated

Impact on drains and sewage

The proposal will take capacity away from adult care services

#### Need / Alternative Uses

There are already a number of flats and apartments in the area

The applicant should look at family homes

Less flats should be proposed

The building needs knocking down or changing to an office block

The proposal should stay as a care home

#### Other Concerns

The applicant is only interested in financial gain

The application submission is mis-leading

Not all neighbours have been notified by letter.

A site notice has not been posted at the site at the time of writing

The applicant has not consulted neighbouring occupiers

The applicant has consulted neighbouring occupiers but has ignored their concerns

The proposal is contrary to planning policy  
A fire risk assessment has not been undertaken  
An asbestos or other contamination report has not been undertaken  
The proposal does not help to regenerate Arnold  
The building was only vacant for the purpose of redevelopment  
The viability report makes the scheme look barely viable  
A third floor conversion is likely to require additional works to strengthen the floors and meet fire regulations  
It should be considered what happens if the development is allowed to go ahead but development has to stop mid-build.  
Will have an adverse impact on local businesses

#### 4.14 Reasons for support are:-

Arnold needs housing  
Arnold needs lower cost housing  
May mean local people can afford to stay in the area  
Good area for housing, close to town centre  
More people living in the area is good for local businesses  
Glad it is market housing and not student accommodation  
This is a sustainable location and will reduce the need for travel if residents also work in Arnold  
Brings a derelict property back into use  
Would reduce vandalism at the site

### **5.0 Relevant Planning Policy**

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that: 'if regard is had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'.
- 5.2 The most relevant national planning policy guidance in the determination of this application is contained within the National Planning Policy Framework (NPPF) (2023) and the National Planning Practice Guidance (NPPG). The NPPF sets out the national objectives for delivering sustainable development. Sections 2 (Achieving Sustainable Development), 5 (Delivering a sufficient supply of homes), 8 (Promoting healthy and safe communities), 9 (Promoting sustainable transport), 11 (Making effective use of land), 12 (Achieving well-designed and beautiful places), 14 (Meeting the challenge of climate change, flooding and coastal change) are particularly relevant in this instance.
- 5.3 The Environment Act (2021) – Biodiversity Net Gain. In England, BNG is mandatory from 12 February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Developers must deliver a BNG of 10%. This means a development will result in more or better-quality natural habitat than there was before development.
- 5.4 The Gedling Borough Council Aligned Core Strategy (GBACS) (September 2014) is part of the development plan for the area. The following policies are relevant in considering this application:

- Policy A (Presumption in Favour of Sustainable Development) sets out that a positive approach will be taken when considering development proposals.
- Policy 1 (Climate Change) sets out sustainability criteria for new dwellings.
- Policy 2 (The Spatial Strategy) identifies the settlement hierarchy to accommodate growth and the distribution of new homes.
- Policy 8 (Housing Size, Mix and Choice) requires that all development should contain adequate internal living space
- Policy 10 (Design and Enhancing Local Identity) sets out that “development will be assessed in terms of its ‘massing, scale and proportion; materials, architectural style and detailing and impact on the amenity of nearby residents and occupiers’.”
- Policy 17 (Biodiversity) sets out how the biodiversity will be increased over the plan period.
- Policy 19 (Developer Contributions) contributions may be required towards local services.

5.5 The Gedling Borough Local Planning Document (LPD) (July 2018) is part of the development plan for the area. The following policies are relevant in considering this application:

- Policy LPD 4 (Surface Water Management) all development proposals should, wherever possible, include measures to pro-actively manage surface water including the use of appropriate surface treatments and Sustainable Drainage Systems in order to minimise the risk of flooding on the development site without increasing flood risk elsewhere.
- Policy LPD11 (Air Quality) Planning permission will not be granted for development proposals that have the potential to adversely impact on air quality, unless measures to mitigate or offset their emissions and impacts have been incorporated
- Policy LPD 18 (Protecting and Enhancing Biodiversity) development proposals will be expected to take opportunities to incorporate biodiversity in and around development and contribute to the establishment and maintenance of green infrastructure.
- Policy LPD 32 (Amenity) requires that development proposals do not have a significant adverse impact on the amenity of nearby residents or occupiers, taking into account potential mitigation measures.”
- Policy LPD 33 (Residential Density) residential developments with higher densities will be supported provided that this reflects local characteristics and does not harm the character of the area.



- LPD 35 (Safe Accessible and Inclusive Development) sets out that the massing, scale and proportion of development should be appropriate to the immediate context, site constraints, character of adjoining streets and spaces and the sites the location within the townscape.
- LPD37 (Housing type, size and Tenure) identifies that an appropriate housing mix for the demand in the local area should be sought
- LPD 40 – Housing Development on Unallocated Sites, part B allows for the conversion and change of use to residential provided they have their own access arrangements, that it would not cause a significant adverse impact on the amenity of nearby residents and appropriate parking provision is made
- LPD 57 (Parking Standards) provides that permission for residential development will be granted where the development proposal meets the Council's requirement for parking provision, or otherwise agreed by the local planning authority.
- LPD 61 (Highway Safety) sets out that permission will be granted for development proposals which do not have a detrimental effect on highway safety, patterns of movement and the access needs of all people.
- LPD 63 (Housing Distribution) - A minimum of 7,250 homes will be provided for during the plan period (2011-2028), distributed as follows ... Windfall allowance - 240 homes.

## 5.6 Supplementary Planning Documents/Guidance

- Parking Provision for Residential Development SPD (2022) sets out the parking provision requirements for new developments.
- Affordable Housing SPD (2009) sets out the requirements for affordable housing.
- Interim Planning Policy Statement: First Homes (2022) sets out the requirements for first homes.
- Low Carbon Planning Guidance for Gedling Borough (2021) sets out sustainability guidance.

## **Appraisal**

### 6.0 Principle of development

- 6.1 The application site is located within the built-up urban area of Arnold. The application site is not covered by any site-specific planning policies. It is therefore considered that the principle of the proposed change of use to residential is acceptable having regard to the provisions of Policy LDP 40, subject to the proposal complying with certain criteria and other relevant planning policies. These are assessed in this section of the report below.

### 7.0 Design and Appearance

- 7.1 It is considered that the proposed external appearance of the building is of an acceptable scale, design and appearance. The applicant has submitted

streetscene elevations to show that the proposed building sits slightly lower than the two properties immediately adjacent.

- 7.2 The majority of the extension lies to the rear of the existing building and is not overly prominent within the streetscene. Nonetheless, the proposed extensions are considered to be of an acceptable scale and their design is considered on the whole to be in keeping with the existing building. The height of the proposed extensions are no taller than the height of the existing building and, therefore, cannot be seen over the host building when viewing the site from the front.
- 7.3 Materials are proposed to match the existing and on the whole fenestration details are also in keeping with the character of the existing building.
- 7.4 The proposal is a high density development at 158 units per hectare. This is in accordance with Policy LPD 33 which states that planning permission will not be granted for proposals for residential development of less than 30 dwellings per hectare. The supporting text to this paragraph states that;-

*“To ensure that residential development achieves an efficient use of land, a minimum density will be identified for different areas. The policy, however, allows for higher densities provided this reflects local characteristics and does not harm local character. Where higher densities are proposed and will not reflect local characteristics, a balanced decision will be required taking account of the need for higher densities in order to deliver wider public benefits (e.g. where higher densities are required to deliver a return sufficient to make the redevelopment of a brownfield site viable).”*

The majority of the building is already in situ and the proposed design and scale of the proposed extensions are considered to be in keeping with the host dwelling and surrounding properties. The development does not appear cramped within its plot and does facilitate the redevelopment of a brownfield site.

- 7.5 A landscaped area is proposed. Precise details of this can be controlled by way of a condition, should planning permission be granted.
- 7.6 For the reasons stated above, it is considered that the design of the proposal is acceptable and that the scheme is in keeping with the character of the surrounding area. It is therefore considered that the proposal accords with Section 12 of the NPPF (2019), Policy 10 of the GBACS (2014), and Policies LPD 33, 35 40 and 63 of the LPD (2018).

## 8.0 Internal Layout

- 8.1 Part 1 of Policy 8 – Housing Size, Mix and Choice requires that all new development should contain adequate internal living space. The Council’s Environmental Health Officer has assessed the application on this basis and has raised no objection. The 1-bedroom units are between 37sqm and 45.5sqm and the 2-bedroom units are between 55.9sqm and 71.2sqm which is considered to be adequate internal space. All units are self-contained with their own facilities and primary rooms have natural lighting.

## 9.0 Residential Amenity

9.1 The proposals would introduce a different use of the building in terms of the impact it would have on neighbouring amenity. The existing nursing home use, although vacant for a number of years, has a very limited impact on amenity, particularly in terms of noise, mainly because the residents are contained within the existing building, and it is mostly the movement of staff and visitors that would impact on noise and disturbance. Extensions to the building and additional windows are also proposed which require assessing in terms of massing / overshadowing, overbearing and overlooking.

9.2 With regards to issues of noise and disturbance, the planning history for this site is relevant. Planning application reference 2023/0605 for "*Change of use from care home (Class C2) to a 29-bedroom house in multiple occupation (Sui Generis), together with changes to windows and doors and associated development*" was refused planning permission in February this year. The reason for refusal was that:-

"The intensification of the proposed use from a care home to a HMO to accommodate at least 29 people occupying a single building, with shared bathroom and kitchen facilities together with a limited amount of external amenity space would unduly impact on the amenity of neighbouring occupiers within a densely populated area through noise and disturbance. As such the proposal is therefore contrary to paragraph 135 of the NPPF (2023) which requires that planning policies and decisions should ensure that developments "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." The proposed develop is also contrary to Polices 8 and 10 of the GBACS (2014) and Policies 32, 40, of the adopted LPD (2018)."

9.3 The Council's Environmental Health Officer (EHO) objected to the previous planning application (2023/0605) on the basis that there is a high propensity for Antisocial Behaviour to occur in an area with the population density as high as the proposed development. In addition to this, they had concerns regarding noise pollution between residents of the development, as well as noise pollution from residents of the development to existing residential developments, which due to the population density of this development is likely to generate complaints.

9.4 This proposal differs from the previous refusal in that instead of being for a 29-bedroom HMO, it is for 19 no. self-contained residential units consisting of 1 No. Studio flat, 12 No. 1 bed flats, and 6 No. 2 bedroom flats. It is unclear as to the total number of residents that would be present in the building if planning permission were to be granted (for example, the one-bed apartments may house a single person or a couple). It is possible that there may be more overall residents in the building if this current planning application were to be approved than the 29-bedroom HMO. However, the residents of 19 no. self-contained units would live differently to the residents of a 29-bedroom HMO. This is primarily because each unit would be entirely self-contained with no shared

living facilities and, as such, significantly less interaction between residents. The Council's Environmental Health Officer was consulted on this current planning application and has raised no objections in terms of noise and disturbance from the number of units / occupiers proposed. I see no reason to disagree with the professional advice of the Council's EHO.

- 9.5 Given the close proximity to neighbouring properties, the EHO asked the applicant to clarify the proposed hours of construction. The applicant has confirmed that this will be 08:00-18:00 hours Monday-Friday, 08:00-13:00 hours Saturdays with no Sunday or Bank Holiday Working. This is considered reasonable for a residential area and avoids late night noise and disturbance during the construction phase. A condition can be attached to the grant of planning permission controlling hours of operation, should permission be granted. A pre-commencement condition requiring a Construction Emissions Management Plan has been requested by the Council's Scientific Officer which would aim to control dust emissions during construction. This should be attached to the grant of any planning permission.
- 9.6 The original submission proposed air source heat pumps to serve each individual unit. It is acknowledged that air source heat pumps have a positive environmental impact, however, the Environmental Health Office objected to these on the grounds of noise levels and their subsequent impact on neighbouring amenity. This was predominantly due to the number of air source heat pumps proposed (1 per residential unit) which were considered to cause unacceptable noise levels if all operating at the same time. These concerns were relayed to the applicant who was asked to remove the heat pumps from the scheme entirely. The applicant has complied with this request and the heat pumps are no longer proposed.
- 9.7 The Council's Environmental Health team has also not objected to the application in terms of housing standards and the residential amenity of the future occupiers of the proposed scheme. The 1-bedroom apartments are between 37sqm and 45.5sqm in floorspace and the 2-bedroom apartments are between 55.9sqm and 71.2sqm. I see no reason to disagree with the professional advice of the EHO on this matter.
- 9.8 Neighbours have raised concerns regarding noise from residents once the apartments are occupied, should planning permission be granted. However, it is not uncommon to have apartment blocks of this size close to traditional houses. There are other examples of apartment blocks within Arnold that are close to existing houses. There is no specific reason as to why this development would cause a noise nuisance. If there were to be a noisy neighbour, then this could be dealt with the same way as a noisy neighbour in any residential unit (be it a flat or a house) through the Council's Environmental Health team.
- 9.9 Turning now to issues of overlooking, proposed new windows along the front and rear elevation are at second floor level and are roughly in line with existing windows at first floor level. In any case, to the rear they look onto the site itself with a petrol station and car garage beyond. To the front they look onto the side elevation of a garage block and the blank side elevation of no. 2 James Street. To the south side of the site is the residential dwelling no. 82 Furlong Street.

This dwelling is approx. 6 metres away from the site building and contains no windows along its side elevation. As such, there are no direct overlooking issues onto this property itself. There are windows along the south elevation of the rear off-shoot of the proposed apartment block. However, these are approx. 17.5 metres away from the shared side boundary of no. 82 Furlong Street. This is considered a sufficient separation distance so as to not cause unacceptable issues of overlooking onto the amenity area which is more of an open plan parking area than private amenity space. To the north side of the site lies the residential dwelling no. 84 Furlong Street. However, the only proposed windows facing in this direction are at ground floor (which are predominantly screened by boundary treatment), 1 no, window at first floor which is in line with the blank elevation of the dwelling at no. 84 and at second floor are high level rooflights only. For the reasons stated above, it is considered that the proposal will not cause unacceptable issues of overlooking onto neighbouring properties.

9.10 With regards to issues of massing / overshadowing and overbearing, most of the building is existing. The main part of the proposed extension is to the rear of the site away from neighbouring residential buildings. Due primarily to separation distances, the proposal is not considered to cause unacceptable issues of massing / overshadowing or overbearing onto neighbouring properties.

9.11 In summary, for the reasons stated above, it is considered that the proposed development would not have a harmful impact on existing neighbouring amenity and is therefore in accordance with Policies LPD32 – Amenity and LPD40 Housing Development on Unallocated Sites which requires that new development would not cause a significant adverse impact on the amenity of nearby residents.

## 10.0 Crime and Anti-Social Behaviour

10.1 A number of neighbour concerns relate to crime and anti-social behaviour. Concerns mostly relate to the “type” of people that will occupy the units. The units are all proposed to be market housing and will be available to either purchase or rent on the open market. There is no specific reason as to why this development would attract criminals. Like any place of residence, if crime does occur then this is a matter for the Police.

10.2 Concerns have also been raised by neighbours that the existing derelict site has become a target for anti-social behaviour and fly tipping. If planning permission were to be granted for the re-development of the site, then the derelict site would be brought back into use.

10.3 The Police have been consulted on the proposal and raise no objection. They have, however, made a number of suggestions as to how the proposal could add crime prevention and security measures. These include a visitor door entry system, security standards for ground floor windows and doors, lighting for entrances and car parks, CCTV, security for cycle parking and a “good neighbour policy.” The detailed comments of the Police have been forwarded to the agent who has confirmed that they are willing to incorporate some of these recommendations into the scheme. To be clear, an informative should

be added to the grant of any planning permission that re-iterates this Police advice in full.

10.4 In summary, for the reasons stated above, it is considered that the proposed development is well designed, will function well and is safe and inclusive for all users. The proposal is therefore in accordance with LPD35 which states that proposals should contribute towards a simple, well-defined and interconnected network of streets and spaces that allows for convenient access to a choice of movement modes and routes, as appropriate to the size of the development and grain of the surroundings, without compromising the security of the development.

#### 11.0 Highway Matters

11.1 At present there are 8 car parking spaces located in a defined car parking area to rear / side of the building (south of the main building). These spaces served the previous 20-bedroom care home.

11.2 A Transport Statement has been submitted in support of the application. There are no plans to amend the proposed access, but it is proposed to increase the car parking spaces by re-configuring the existing arrangement. It is proposed to create 13 off-street spaces within the existing parking area, as well as a vehicle turning bay. An area for secure cycle storage is also proposed.

11.3 The Highway Authority has raised no objections to the access or car parking layout, subject to conditions regarding the car park to be bound in a hard-surface and for the cycle-storage to be available for use prior to the first residential unit being brought into use. It is considered that there is no reason to disagree with the professional advice of the Highway Authority.

11.4 Parking space provision is a matter for the Local Planning Authority to assess. A number of neighbour objections have been received regarding this matter. There is currently high levels of on-street car parking in this residential area of Arnold. Many residential properties along James Street and Furlong Street are 19<sup>th</sup> Century terraced properties which are high density and have no on-site car parking. Due to its close proximity to Arnold Town Centre, neighbour objectors state that visitors to the town centre often park on these residential streets where there are no parking restrictions. The nearby Stenhouse Medical Centre is served by a small car parking area and neighbour objectors state that patients often park on the nearby streets if the medical centre car park is full.

11.5 The adopted Gedling Borough Council's Supplementary Planning Document 'Parking Provision for Residential Development' (2022) sets out the parking provision requirements for new development. For 1 and 2-bedroom apartments in an urban area, there is a requirement for 0.8 unallocated spaces per unit. The proposal is for 19-units and therefore, according to the SPD, there should be a total of 16 car parking spaces provided.

11.6 The current proposal provides 13 car parking spaces, which is 3 car parking spaces below the figure in the Council's SPD. There is no space remaining within the site to provide 3 additional car parking spaces. As such, the applicant was asked to consider reducing the number of residential units proposed to 16

units. According to the SPD, the 13 car parking spaces proposed would be sufficient to provide for 16 residential units.

- 11.7 The applicant did consider a request to reduce the number of residential units proposed. However, the applicant has not reduced the number of residential units proposed. The applicant has instead indicated, through the submission of a Transport Statement, that additional car parking is not required. As such, the proposal has to be considered as originally submitted.
- 11.8 On balance, it is considered that the proposal is acceptable with a shortfall of 3 car parking spaces. The site is located in a highly sustainable location in extremely close proximity to the amenities and local transport of Arnold Town Centre. Residents could easily reside in this location without a private car. Furthermore, a secure bicycle storage area is also proposed to serve the development. This is supported by local planning policies.

Paragraph 11.6.2 of Gedling Borough Council's Local Plan states that:-

*“The conversion of houses into flats and the change of use of non-residential buildings to residential use can help to provide a range and variety of new homes ... in recognition of its importance and so as to encourage this type of development, the Borough Council may allow lower parking standards in certain circumstances where it is considered appropriate (for example near public transport corridors or near to shopping centres).”*

Paragraph 4.12. of the parking standards SPD states that:-

*“The expectation is that parking standards will be met, however if the development is served by one or more regular public transport service, this may be a material consideration justifying a reduced parking provision requirement, especially if a site is located within; or close to a central area.”*

- 11.9 For the reasons stated above, it is considered that the proposals would not have an unacceptable adverse impact on highway safety contrary to Section 9 of the NPPF (2023), Policies LPD 57 and LPD 61 of the LPD (2018) and the Council's Parking Standards SPD.

## 12.0 Planning Obligations and Viability

- 12.1 With the application being a major there is a requirement to seek contributions to make the development acceptable in planning terms. As previously outlined, The NHS and Nottinghamshire County Council states that this development falls below their threshold for requesting financial contributions towards health care and education. The County Council are also not seeking contributions towards bus stop improvements or library stock.
- 12.2 The Strategic Housing team has commented that for a development of this size, 2 no. First Homes and 2 no. Affordable Rent units are required. The applicant has submitted a viability assessment contesting that the scheme would not be viable if it included these affordable housing units. The Planning Department has commissioned an independent financial advisor to assess the applicant's viability statement. The independent financial advisor does agree

with the applicant that the figures demonstrate that the scheme is unable to provide any affordable housing or Section 106 payments and that, on this basis, there is a good justification on this scheme for removing the affordable housing / S106 contributions in order to give the scheme the best chance of being delivered. The independent financial advisor has stated that this is not a marginal case and that the site fails to meet the viability threshold, even before any affordable housing/ S106 payments are factored in and that even if sales values were to increase by 5% (and construction costs reduced by 5%) the residual land value would still be below the benchmark land value and therefore at best only marginally viable; the assessment is available on the Council web-page. For this reason, in this specific instance, affordable housing units are not required at this site. A copy of the independent viability report is reproduced at the end of this committee report.

12.3 Furthermore, given that the viability indicates that the scheme falls somewhat below being viable a review or clawback provision is not considered necessary. It is also likely that the development will be completed in one phase given that it is the conversion of a single building. Therefore, having regard to viability being a material planning consideration, it is considered that the application would be acceptable without any contributions. The application is therefore deemed to comply with guidance outlined in the NPPF (paragraphs 57-58) and ACS19 (Developer Contributions).

#### 13.0 Flood Risk and Drainage

13.1 The site is located within Flood Zone 1 and, as such, is at a low risk of flooding. Nonetheless, due to the size of the proposal, the applicant has submitted a Flood Risk Assessment and Drainage Statement.

13.2 The Lead Local Flood Risk Authority (LLFRA) originally objected to the proposal on the grounds of lack of information. However, the applicant subsequently submitted further information regarding surface water drainage and flood risk. The LLFRA now raises no objection to the proposal subject to a condition regarding a detailed surface water drainage scheme based on the principle set forward by the submitted Flood Risk Assessment and Drainage Strategy to be submitted to and approved by the LPA prior to development commencing. It is considered that there is no reason to disagree with the professional advice of the LLFRA.

13.3 The Environment Agency has been consulted on the application but has not responded. However, the site is located within Flood Zone 1 and the proposal is changing the use of the building from a residential care home a “more vulnerable flood use” to residential unit, which is also a “more vulnerable flood use” both of which are compatible in flood zone 1.

13.4 For the reasons stated above, subject to conditions, drainage at the site is acceptable and the proposal will not increase flood risk in the area. As such, the proposal is considered to be in accordance with Part 14 of the NPPF, Policy 1 of the ACS and LPD4.

#### 14.0 Biodiversity Net Gain (BNG)



- 14.1 From 12<sup>th</sup> February 2024 Biodiversity Net Gain (BNG) is mandatory for development of small sites that do not meet the required exemptions. This means that developers must deliver a BNG of 10%. This results in a development with more or better quality natural habitat than there was before development.
- 14.2 With regards to BNG information submitted as part of this application, the applicant has submitted a small site's metric tool calculator, a written statement and a plan showing the proposed BNG areas within the site.
- 14.3 The applicant's submission states that the site comprises a total of 0.05 low-distinctiveness area habitat units as follows:-
- 0.01 area units of 'Introduced Shrubs',
  - 0.02 area units of 'Modified Grassland' with a Poor condition, and
  - 0.03 area units of 'Bare Ground' with a Poor condition.
  - As well as habitats with zero value.
- No linear hedgerow or watercourse units are recorded on the baseline.
- 14.4 To achieve the target 10% net gain, 0.06 area units will be required. These are proposed to be achieved on site and a plan has been submitted showing the areas where this is proposed.
- 14.5 No further BNG details are required at the planning application determination stage. However, should planning permission be granted for this development then this should be subject to the inclusion of a condition requiring a Biodiversity Gains Plan to be submitted to and agreed in writing. It is at this stage that precise details of BNG are assessed. The application is therefore deemed to comply with policies ACS17 and LPD18.

## 15.0 Other Matters

- 15.1 Nottinghamshire County Council Archaeology officer raises no objection to the proposal.
- 15.2 The Council's Scientific Officer has suggested conditions regarding electric vehicle charging and a Construction Emissions Management Plan. It is considered that these should be attached to the grant of any planning permission.
- 15.3 With regards to neighbour objections, the majority of these have been answered throughout the body of this report. The remaining concerns are addressed below.
- 15.4 Neighbours have raised concerns that the proposal lacks any greenery. If approved, then conditions relating to both landscaping and BNG should be attached to the planning permission. Both of these will provide greenery over and above existing levels on the site.
- 15.5 Neighbours have raised concerns that the proposal will take capacity away from adult care services. However, this is a market factor and not a planning consideration.

- 15.6 Neighbours also state that there are already a large number of flats within the area and that the proposal should be for family homes or an office block or that less apartment units should be proposed. The Local Planning Authority has a duty to assess any planning application as submitted. For the reasons set out in the main body of this report, this proposal for 19 apartments is considered to comply with relevant planning policy and is considered to be acceptable.
- 15.7 The applicant has submitted sufficient information in order for the application to be determined and the correct neighbour notification and publicity procedures have been carried out.
- 15.8 The Scientific Officer has assessed the application and has not raised concerns regarding contamination or asbestos. Asbestos would be assessed under separate legislation from the planning system in any case and a licence would be required to remove asbestos (if it is present on site and if it does require removal). Fire Risk would be assessed at the Building Regulations stage should the development be progressed.
- 15.9 There are no specific reasons as to why the proposal would have an adverse impact on local businesses. It would re-generate a vacant site close to the Town Centre.
- 15.10 There are no specific reasons as to why the proposed development would have to stop mid-build. In any case, this is down to the market and not an issue that the Planning system has control over.
- 15.11 Adequate consultation has been undertaken, which includes consultation letters to all properties immediately adjacent to the site, a site notice was erected and a notice placed in the press. The level of consultation is compliant with relevant government guidance and appropriate for the development proposed, which is reflected in the large number of responses received.
- 15.12 Neighbours have raised concerns with regards to the location of the communal bin area which is to the front north-east corner of the site. From a visual point of view, it is usually preferred for the bins to be located away from public areas. However, in this case, the existing bin storage area serving the previous nursing home was to the north-east front corner of the site. A refusal on this basis, therefore could not be sustained. Re-locating the bin area to the rear of the property would further reduce car parking spaces. The bin area is currently partially screened by boundary treatment, making it less prominent from public areas. The Council's Waste Services team has raised no objection to the proposal.

## 16.0 Conclusion

- 16.1 The proposed development is consistent with local and national planning policies. The site is located within the built-up area of the District, the design, scale and layout of the proposal is considered to be acceptable and does not have an unacceptable impact on the character or visual amenity of the area. The proposal will not have an unacceptable impact on the residential amenity of occupiers of neighbouring properties in terms of noise, overlooking or

massing / overshadowing. Parking and access at the site is acceptable. The proposal will not increase flood risk in the area. The proposal achieves a Biodiversity Net Gain. It is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Parts 2, 5, 8, 9, 11, 12 and 14), Policies A, 1, 2, 8, 10, 17 and 19 of the ACS, Policies LPD 4, 11, 18, 32, 33, 35, 37, 40, 57 and 61 of the LPD, Gedling Borough Council's, Parking Provision SPD and Low Carbon Planning Guidance for Gedling Borough.

**17.0 Recommendation: GRANT PLANNING PERMISSION subject to the following conditions;-**

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 The development hereby permitted shall be completed in accordance with the submitted documents;-

Proposed elevations, proposed floorplans and proposed layout plan, received 5<sup>th</sup> September 2024.

Existing elevations, existing floorplans and existing block plan, received 3<sup>rd</sup> June 2024

Site location plan, received 3<sup>rd</sup> June 2024

Application form, received 3<sup>rd</sup> June 2024

Reason: For the avoidance of doubt.

- 3 No above ground construction works shall commence until samples of the proposed external facing materials to be used in the construction of the development have been submitted to, and approved in writing by, the Local Planning Authority and the development shall only be undertaken in accordance with the materials so approved and shall be retained as such thereafter.
- 4 No unit shall be occupied as a C3 residential use until a detailed scheme for the boundary treatment of the site, including position, design and materials, and to include all boundaries, cycle storage area and bin storage area, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed before the buildings is first occupied as a C3 residential use.
- 5 No development shall be commenced until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. The scheme as approved shall be carried prior to the first occupation of the development. Any trees, shrubs or plants that die within a period of five years from the completion of each development phase, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species. These details shall include:

a schedule (including planting plans and written specifications, including cultivation and other operations associated with plant and grass establishment)

of shrubs and other plants, noting species, plant sizes, proposed numbers and densities. The scheme shall be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species.

an implementation and phasing programme

hard surfacing materials

6 No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy FRA&DS\_001, Aug 2024, Lando Consulting., 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. The scheme to be submitted shall:

- 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 169.
- 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.

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.

○ 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.

- 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.
- 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.

7 Construction works shall only take place within the following hours;-

0800-1800 Monday-Friday, 0800-1300 Saturdays, No Sunday or Bank Holiday working.

8 No part of the development hereby permitted shall be brought into use until the parking and turning are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number AR-AL-002. The parking and turning areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking, turning, and loading and unloading of vehicles

9 No part of the development hereby permitted shall be brought into use until the cycle parking store as indicated on drawing AR-AL-002, has been provided and that area shall not thereafter be used for any purpose other than the parking of cycles.

10 From the date of first occupation every property built on the site shall be provided with access to electric vehicle (EV) charge point(s) in line with Part S of the Building Regulations. All EV charging points shall meet relevant safety and accessibility requirements and be clearly marked with their purpose; which should be drawn to the attention of new residents in their new home welcome pack / travel planning advice.

11 Prior to commencement of the development a Construction Emission Management Plan (CEMP) for minimising the emission of dust and other emissions to air during the site preparation and construction shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must be prepared with due regard to the guidance produced by the Council on the assessment of dust from demolition and construction and include a site specific dust risk assessment. All works on site shall be undertaken in accordance with the approved CEMP unless otherwise agreed in writing by the Local Planning Authority.

12 Development may not be begun unless:

(a) a biodiversity gain plan has been submitted to the planning authority;  
and

- (b) The planning authority has approved the plan.

Development shall thereafter be carried out in accordance with the approved biodiversity gain plan, in accordance with the timings agreed by the biodiversity gain plan.

- 13 The Biodiversity Gain Plan shall be prepared in accordance with the Proposed Site Layout Plan, received by the Local Planning Authority 5<sup>th</sup> September 2024, Letter from Estrada Ecology dated 10<sup>th</sup> July 2024, BNG Metric, received by the Local Planning Authority 12<sup>th</sup> July 2024.
- 14 The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:
- (a) a non-technical summary;
  - (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
  - (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
  - (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
  - (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,

has been submitted to, and approved in writing by, the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.

### Reasons

- 1 Reason: In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 Reason: For the avoidance of doubt.
- 3 Reason: In the interests of visual amenity.
- 4 Reason: In the interests of visual amenity.
- 5 Reason: In the interests of visual amenity.

- 6 Reason: A detailed surface water management plan is required to ensure that the development is in accordance with NPPF and local planning policies. It should be ensured that all major developments have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.
- 7 Reason: In the interests of residential amenity.
- 8 Reason: To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.
- 9 Reason: To ensure that adequate cycle provision has been provided.
- 10 Reason: To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
- 11 Reason: To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
- 12 Reason: To ensure that 10% BNG is achieved at the site in accordance with The Environment Act (2021) – Biodiversity Net Gain and Schedule 7A of the Town and Country Planning Act 1990 (as amended).
- 13 Reason: To ensure that 10% BNG is achieved at the site in accordance with The Environment Act (2021) – Biodiversity Net Gain and Schedule 7A of the Town and Country Planning Act 1990 (as amended).
- 14 Reason: To ensure that 10% BNG is achieved at the site in accordance with The Environment Act (2021) – Biodiversity Net Gain and Schedule 7A of the Town and Country Planning Act 1990 (as amended).

### Informatives

- 1 The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website.

The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the development type proposed is zero rated in this location.

- 2 All electrical circuits/installations shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation (2015) and The Electric Vehicles (Smart Charge Points) Regulations 2021.

- 3 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards.  
If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at [www.coal.decc.gov.uk](http://www.coal.decc.gov.uk).  
Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com).
- 4 The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2023). Negotiations have taken place during the determination of the application to address adverse impacts identified by officers. Amendments have subsequently been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.
- 5 With regards to condition 12, the biodiversity gain plan must include :
- (a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
  - (b) the pre-development biodiversity value of the onsite habitat;
  - (c) the post-development biodiversity value of the onsite habitat;
  - (d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
  - (e) any biodiversity credits purchased for the development; and
  - (f) any such other matters as the Secretary of State may by regulations specify.
  - (g) timings for implementation
- 6 The advice from Nottinghamshire Police is as follows;-  
“It is recommended that the Secured by Design standard is adopted as part of this property development.

<https://www.securedbydesign.com/images/HOMES%20GUIDE%20May%202024.pdf>

### **Access control and door entry systems**

Smaller developments containing 25 or less, apartments, bedsits or bedrooms should have a visitor door entry system and access control system. The technology by which the visitor door entry system operates is a matter of developer choice, however it should provide the following attributes:

- Access to the building via the use of a security encrypted electronic key (e.g. fob, card, mobile device).



- Vandal resistant external door entry panel with a linked camera.
- Ability to release the primary entrance door set from the dwelling or bedroom (in the case of student accommodation or House in Multiple Occupation).
- Live audio and visual communication between the occupant and the visitor.
- Ability to recover from power failure instantaneously.
- Unrestricted egress from the building in the event of an emergency or power failure.
- Control equipment to be located in a secure area within the premises covered by the CCTV system and contained in a lockable steel cabinet to LPS 1175 Security Rating 1 or STS 202 Burglary Rating 1.

## **Door sets**

All door sets allowing direct access into to the home, dedicated private flat or apartment entrance door sets, communal door sets shall be certificated to one of the following standards:

- PAS 24:2016 (Note 23.4b), or
- PAS 24:2022 (Note 23.4b), or
- STS 201 Issue 12:2020 (Note 23.4c), or
- LPS 1175 Issue 7.2:2014 Security Rating 2+ (Note 23.4d), or
- LPS 1175 Issue 8:2018 Security Rating A3+, or
- STS 202 Issue 10:2021 Burglary Rating 2 (Note 23.4d), or
- LPS 2081 Issue 1.1:2016 Security Rating B (Notes 23.4d and 23.4e), or
- STS 222 Issue 1:2021

## **Windows**

All easily accessible (Note 24.2a) windows (including easily accessible roof lights and roof windows) shall be certificated to one of the following standards:

- PAS 24:2016 (Note 24.2b), or
- PAS 24:2022, (Note 24.2b), or
- STS 204 Issue 6:2016 (Note 24.2c), or
- LPS 1175 Issue 7.2:2014 Security Rating 1 (Note 24.2d), or
- LPS 1175 Issue 8:2018 Security Rating 1/A1, or
- STS 202 Issue 10:2021 Burglary Rating 1, or
- LPS 2081 Issue 1.1:2016 Security Rating A, or
- STS 222 Issue 1:2021

Note 24.2a: Easily accessible is defined within Approved Document Q Appendix A as:

- A window or doorset, any part of which is within 2 metres vertically of an accessible level surface such as a ground or basement level, or an access balcony, or
- A window within 2 metres vertically of a flat roof or sloping roof (with a pitch of less than 30°) that is within 3.5 metres of ground level.

## **External Lighting**

Where possible the lighting requirements within BS 5489-1:2020 should be applied. Developers are advised that there is further guidance available from the Chartered Institute of Building Services Engineers (CIBSE) and the Society of Light and Lighting (SLL).

Lighting is required to illuminate all elevations containing a door set, car parking and garage areas and footpaths leading to dwellings and blocks of flats. Bollard lighting is not appropriate as it does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime.

Overall Lighting uniformity ( $U_o$ ) - levels of 0.4 or 40% - are recommended where possible to ensure that lighting installations do not create dark patches next to lighter patches where the human eye has difficulty in adjusting quickly enough to see that it is safe to proceed along any route. If high levels of uniformity are neither achievable nor appropriate for technical or locally applying environmental reasons, the highest levels of uniformity possible should be achieved.

External public lighting must be switched using a photo electric cell (dusk to dawn) with a manual override or via a Central Management System (CMS) for large scale developments. If LED light sources are used, then shorter burning hours can be programmed as no warmup time is required for the lamp.

Secured by Design has not specified PIR activated security lighting for several years following advice from the ILP and police concern regarding the increase in the fear of crime (particularly amongst the elderly) due to repeated PIR lamp activations. Research has proven that a constant level of illumination is more effective at controlling the night environment.

24-hour lighting (switched using a daylight sensor formally called photoelectric cells) to communal parts of blocks of flats will be required. It is acceptable if this is dimmed during hours of low occupation to save energy. This will normally include the communal entrance hall, lobbies, landings, corridors and stairwells and underground garaging facilities and all entrance/exit points. Technology exists in respect of energy efficient light dimming systems and other means of ensuring that security lighting is intelligently provided in the right quantities and only at the right time.

## **CCTV**

It is recommended that CCTV is installed as part of this development. For the purposes of this guide, the term Closed Circuit Television (CCTV) is used to describe all video surveillance systems capable of recording moving images or sound, from traditional CCTV systems with on-site or remote recording facilities to video doorbells that begin recording only when a doorbell is activated.

The purpose of a CCTV system and the results desired from it must be carefully detailed in the Operational Requirement so that an appropriate installation is identified and can be agreed upon with a prospective installer. Attendant problems that could detract from the success of a CCTV system should be identified and a solution to them sought at this early planning stage.

Although a CCTV system cannot address all aspects of security, it can form an invaluable element within a comprehensive security strategy as long as the specification and installation meet the users Operational Requirement.

CCTV is not a universal solution to security problems, but it does form part of an overall security plan. It can help deter crime and criminal behaviour, assist with the identification of offenders, promote personal safety, and provide reassurance for residents and visitors. Even the smallest development will benefit from the installation of a good quality CCTV system, which does not need to be expensive.

Images of people are covered by the General Data Protection Regulation (GDPR), and so is information about people which is derived from images – for example, vehicle registration numbers. Most uses of CCTV will be covered by the Data Protection Act 2018, which is the UK's implementation of the GDPR, regardless of the number of cameras or how sophisticated the equipment is.

Specifiers are reminded that there will be a requirement for a data controller to ensure compliance with the GDPR. The data controller must ensure that all CCTV images that can be used to identify individuals are used, stored, and disclosed in line with the GDPR principles.

It is important that signs are displayed explaining that CCTV is in operation. A CCTV system should:

- Have CCTV cameras contained in vandal resistant housings with the facility for ceiling or wall mounting.

- Record images in colour HD quality.
  - Not be affected by concentrated white light sources directed at the camera, such as car head lights and street lighting.
  - Have a lockable steel cabinet for 'on-site' recording equipment or other hard drive units to one of the following standards:
    - LPS 1175 Security Rating 1 (A1), or
    - STS 202 Burglary Rating 1, or
    - SS314
  - Identify each camera's location and record this information along with time and date stamping.
  - Provide suitable methods of export and incorporate the required software to view the exported footage.
  - Negatively impacted upon by lighting and landscape proposals
  - Whether there is consideration for inclusion of comprehensive Operational use and Requirements Table
- Also, it is worth mentioning that the most important aspect of utilising CCTV is the quality of the system and its imagery.

CCTV cameras associated with visitor door entry systems covering communal entrances and internal lobby areas should be installed and be capable of providing images of persons that are clearly identifiable on smaller devices such as smart phones.

Ideally, CCTV systems should be monitored live 24/7 giving the ability to react to a situation as it occurs. However, this is not a requirement of Secured by Design for residential developments. Most CCTV systems are designed for recording images and for the post event investigation only, in which case nobody is required to monitor the activities live. Police recommend that images are stored for a minimum of 31 days.

Early discussions with an independent CCTV expert and potential installers can resolve a number of matters, including:

- monitoring and recording requirements.
- activation in association with the intruder alarm.
- requirements for observation, facial recognition/identification and automatic number plate recognition (ANPR) .
- areas to be monitored and field of view.
- activities to be monitored.
- the use of recorded images.
- maintenance of equipment and the management of recording.
- subsequent on-going training of operatives.
- Further advice, including the ICO CCTV Code of Practice is available at: [www.ico.org.uk](http://www.ico.org.uk)

## **Bicycle Security**

The area is particularly prone to cycle theft and any bicycle storage solutions should be constructed to the following 'Secured by Design' standards.

Bicycle parking will comprise of bicycle stands, anchor points, single and two-tier rack systems and dedicated lockers. The bicycle stands and rack systems, single or two tier, should be certified to one of the following standards:

- Sold Secure – SS104 Security Rating Bronze, or
- Element (Wednesbury) – STS 501 Security Rating TR1, or
- Element (Wednesbury) – STS 503 Security Rating TR1, or
- Warringtonfire – STS 205 Issue 6:2021 Security Rating BR1, or
- Warringtonfire – STS 225 Issue 1:2021 Security Rating BR1 (S), or
- Loss Prevention Certification Board LPS1175 Issue 8:2018 Security Rating A (A1)

Bicycle parking facilities should be limited to the storing of no more than seventy bikes; if larger numbers need to be stored at the same location, the facilities should be separated into discreet units and be subject to extra mitigating security measures as agreed with the Nottinghamshire Designing Out Crime Officer.

Standards for Public Cycle Parking is available at:

[www.securedbydesign.com/images/05132-Cycle-Parking-andSecurity-Standards-June-2021- REV-6.pdf](http://www.securedbydesign.com/images/05132-Cycle-Parking-andSecurity-Standards-June-2021-REV-6.pdf).

### **Good Neighbour Policy**

It is essential that staff and the company itself listen to and respond to the concerns of neighbours in the spirit of being a good neighbour. It is important that neighbours know the 'Good Neighbour Policy' exists and have access to a copy along, with contact telephone numbers which are responded to outside of normal office hours.

This approach will prevent unnecessary feelings of frustration and escalation resulting in calls for service from the Police and Local Authority.

It is requested that the Secured by Design standard is achieved and formally accredited due to the crime and disorder profile at the location.