

REPORT OF HEAD OF DEVELOPMENT MANAGEMENT AND REGENERATION

Site Of Former The Kings School , 51 Green Street

1 SUMMARY

Application No: 13/01436/PFUL3 for planning permission

Application by: Marsh:Grochowski on behalf of Blueprint (General Partner) Ltd

Proposal: 21 new dwellings and associated works.

The application is brought to Committee because it is a major scheme which has generated significant local interest.

To meet the Council's Performance Targets this application should be determined by 12th September 2013

2 RECOMMENDATIONS

GRANT PLANNING PERMISSION subject to:

a) prior completion of a Section 106 Planning Obligation which shall include a financial contribution for the provision or enhancement of off-site open space or public realm;

b) the conditions listed in the draft decision notice at the end of this report.

Power to determine the final details of both the terms of the Planning Obligation and conditions of the planning permission be delegated to the Head of Development Management.

That Councillors are satisfied that Regulation 122(2) Community Infrastructure Levy Regulations 2010 is complied with, in that the planning obligation sought is (a) necessary to make the development acceptable in planning terms, (b) directly related to the development and (c) fairly and reasonably related in scale and kind to the development.

3 BACKGROUND

3.1 This is the site of the now demolished Kings School, formerly an independent primary school. The site is bounded to the north by Green Street, across which are three-storey terraced houses and the Mundella Centre. To the west is the public open space of the Embankment park / playing fields (the area closest to the site is car parking) and to the south is a City Council storage depot and, beyond that, the Memorial Gardens, a Grade II Historic Park and Garden. To the east is the first phase of the 'Green Street' development, approved by Committee in September

2009 under ref. 09/02114/PFUL3. The rear of houses on Hunter Street in that first phase back onto the application site. Hunter Street, which is currently a cul-de-sac, adjoins the application site boundary. 24 Hunter Street at the southern end of the development has its side elevation facing the current site.

4 DETAILS OF THE PROPOSAL

- 4.1 The proposal is for a scheme of 21 x two and three storey dwellings with a mix of 2, 3 and 4 beds. The layout reflects that of the first phase with a street coming off Green Street and running in front of the houses along the southern boundary to join with Phase 1. Eight houses on the southern and western boundaries are 'custom build' with purchasers having more freedom to change some external features, internal layouts, fittings etc, than is usual.
- 4.2 Design and appearance continue the ethos of the first phase. Materials are red brick at ground floor with white render above and two shades of grey for emphasis, with a feature dark green render to provide highlights and features. Windows and gutters are grey aluminium. Canopies, soffits, terrace screens, bin / bike stores are timber.
- 4.3 It is intended that all 21 dwellings achieve the AECB Silver Standard; the design takes a 'passivhaus' approach in that insulation of the properties allows them to achieve in excess of a 20% reduction in CO2 emissions.
- 4.4 Parking is provided off-street (driveways or integral garages) with two off-street spaces for nine of the dwellings and one space for six of the dwellings. The six 2 bed houses facing Green Street are served by the eight angled spaces in front of them would be in the public highway and part of the area's residents' parking scheme.
- 4.5 Flood risk issues have changed since the construction of Phase 1 due to the recently constructed flood defence works carried out along the Embankment. This second phase is therefore around 500mm lower than the first phase.

5 CONSULTATIONS AND OBSERVATIONS OF OTHER OFFICERS

Adjoining occupiers consulted:

Eighty-three letters sent to neighbouring residents:

1 to 38 inc, Hunter Street

37 - 45 odds, Green Street

6 - 52 evens, Green Street

Mundella Centre, Green Street

Apartments 1 to 5 inc, Riverbank House, 55 Victoria Embankment

31 - 57 inc, Victoria Embankment.

Seventeen responses received, primarily from occupiers of Hunter Street, the first phase of the development.

The major concern expressed by occupiers of Hunter Street is the provision of a vehicular through route connecting the two phases. It is argued that this would be unsafe particularly for children and disabled people and for pedestrians in general accessing the Memorial Gardens; as it is a single carriageway cars would use the pavement; vehicles reversing out of garages would be in conflict with cars using the

pavement; the developer had told purchasers in Hunter Street that it would remain a cul-de-sac; an increase in traffic contradicts 'pedestrian only' ethos; the through route would reduce parking options on a street with parking problems; this would be a rat run and would encourage crime.

Other concerns are:

- Lack of parking for the new development would exacerbate existing problems on Hunter Street;
- The garages for the existing houses are too small to use and this should not be repeated;
- Loss of light to kitchen and 2 bedrooms at 20 Hunter Street from Plots 9 and 10;
- Loss of light to kitchen and 1 bedroom and to garden at 22 Hunter Street from Plot 9;
- Loss of light and outlook 6 Hunter Street from Plots 16 - 21;
- Loss of privacy 22 Hunter Street (bedrooms) from Plot 9 (2nd floor terrace) - timber slat panels do not prevent overlooking and should be replaced by walls;
- The development would spoil a historic area;
- Poor, office-like design;
- Impact of the new houses along the southern boundary on Victoria Embankment. It is noted that, until the first phase of this development, there were no houses close to the Embankment. The three storey houses built within three metres of the boundaries have an unacceptable impact on the open space, exacerbated by their 'loud', white finish;
- Trees should be retained to screen the development when viewed from Victoria Embankment;
- Poor quality of building work for Phase 1 and lack of confidence that this will improve.

Matters regarding the through route and parking are addressed in section 7 (iv) of this report, the impact on neighbouring properties in section 7 (iii) and the impact on trees in section 8. The impact of the development on the memorial Gardens and Victoria Embankment was, in general terms, agreed by the grant of planning permission for Phase 1, as was the overall design. The quality of building work is noted but largely beyond the control of the planning system.

Additional consultation letters sent to:

Pollution Control: No objection subject to conditions regarding potential ground contamination.

Highways: Concern about garages as originally proposed being unusable. Request that on-street parking bays be re-orientated (these matters now resolved). Note that joining new road to Hunter Street will assist with refuse collections. Note that existing Traffic regulation Orders will need to be amended to accommodate on-street parking bays on Green Street and that the Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance for street trees.

Environment Agency: Comments to be reported verbally to Committee.

Garden History Society: No response.

6 RELEVANT POLICIES AND GUIDANCE

National Planning Policy Framework:

- 6.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policies. While planning applications still need to be determined in accordance with the development plan, which are set out in the report, the NPPF is a material consideration in the assessment of this application.
- 6.2 The NPPF advises that there is a presumption in favour of sustainable development and that development which is sustainable should be approved. Paragraph 17 of the NPPF lists the core planning principles that should underpin decision taking on planning applications. Of particular relevance to this application is the need to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, encourage the effective use of land by reusing land that has been previously developed (brownfield land), and support the transition to a low carbon future.
- 6.3 Paragraph 60 of the NPPF advises that local planning authorities should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative. Paragraph 63 adds that great weight should be attributed to outstanding or innovative designs.
- 6.4 Paragraph 96 states that new development should be expected to take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.
- 6.5 Paragraph 103 of the NPPF advises that local planning authorities should only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, development is appropriately flood resilient and resistant.

Nottingham Local Plan (November 2005):

ST1 - Sustainable Communities. Complies

H2 - Density. Complies

H3 - Appropriate Housing Types. Complies

R2 - Open Space in New Development. Complies

BE2 - Layout and Community Safety. Complies

BE3 - Building Design. Complies

BE4 - Sustainable Design. Complies

BE5 - Landscape Design. Complies

BE14 - Historic Parks and Gardens. Complies

NE10 - Water Quality and Flood Protection. Complies

NE12 - Derelict and Contaminated Land. Complies

NE14 - Renewable Energy. Complies

NE5 - Trees. Complies

T3 - Car, Cycle and Servicing Parking. Complies

7. APPRAISAL OF PROPOSED DEVELOPMENT

Main Issues

- (i) Principle of the Development
- (ii) Design Considerations
- (iii) Impact on Residential Amenity
- (iv) Highway Considerations
- (v) Flood Risk
- (vi) Development's Contribution towards Open Space

(i) Principle of the Development (Policies ST1 and H3)

- 7.1 The scheme represents the reuse of a brownfield site within a primarily residential area, contributing towards a balanced mix of housing type in the Meadows, according with Policies ST1 and H3.

(ii) Design Considerations (Policies H2, NE5, BE2, BE3, BE5 and BE14)

- 7.2 The overall design approach continues that of the first phase of development, driven by a high level of sustainability, orientation in relation to solar gain, flood protection and relationship with the existing urban fabric. The density of the layout is high but reflects the urban grain of the surrounding area of the old Meadows whilst taking a contemporary design approach and addressing other matters of more importance such as sustainability, flood risk and the provision of high quality family housing. The continuation of the design approach of the first phase is considered to be appropriate and acceptable. The materials of red brick with white render above and aluminium and timber detailing are considered to have been successful in the first phase and equally suitable here.
- 7.3 The layout provides terraced properties on Green Street which reflect the form of the traditional houses opposite, and then provides another access from Green Street which connects with the existing Phase 1. The 'custom build' houses along the southern side of the site continue the relationship of Phase 1 with the Memorial Gardens.
- 7.4 Regarding residents' concerns about making a vehicular connection between the two phases, legibility, permeability and ease of connectivity are important principles of urban design. Pedestrian and vehicular through movement are an opportunity to create lively, mixed use places, rather than creating cul-de-sacs which will necessitate additional vehicle movements and hammer heads. The report to Committee for the Phase 1 development noted that design was influenced in part by "possible future access to the adjacent site". It is not considered that the new, joined up road would be heavily trafficked as it would not form a through route and most residents of Hunter Street would use the existing access points closest to their houses.

- 7.5 In direct response to residents' concerns about traffic speed and cars using the pavement, the junction between the sites is to be traffic calmed by raised kerbs, the provision of a build-out containing a street tree and the use of setts to provide a contrasting, slower surface. In terms of density, design and layout the proposal is therefore consistent with the aims of Policies ST1, H2, H3, NE5, BE2, BE3, BE5 and BE14.

(iii) Impact on Residential Amenity (Policy BE3)

- 7.5 The proposed development's main potential impact on neighbouring residents is on the existing properties on Hunter Street (Phase 1). The new houses fronting Green Street are two storey and twenty metres from the existing houses on Green Street, which is further across a road than is traditionally the case in this area.
- 7.6 In response to concerns about the impact of Plot 9 on light to and outlook from 20 and 22 Hunter Street, the new houses on Plots 9 and 10 have been reduced from three to two storeys. The new properties are set half a metre lower, there are no windows in the side elevation of the new house and the distance from the rear of 22 Hunter Street is twelve metres. This is considered to be acceptable. This change also has the effect of omitting the second-floor terrace, overlooking from which had concerned neighbours.
- 7.7 The first floor rear windows of Plots 19 - 21 have been changed so that they are angled away from the existing Hunter Street houses to look south only, thereby avoiding unacceptable overlooking of the existing houses to their rear. Plot 21 is the closest new house to the existing Hunter Street properties; it is angled away from those houses (its closest point being twelve metres away), is set half a metre down and is two storey. In these circumstances, the impact on light and outlook is considered to be acceptable. A condition is proposed to remove 'permitted development' rights for extensions and outbuildings to ensure that overlooking and loss of privacy does not arise in the future. The proposal as amended is therefore in accordance with Policy BE3.

(iv) Highway Considerations (Policy BE2)

- 7.8 The parking provision for the new development is considered to be appropriate. The six houses fronting Green Street do not have dedicated parking but eight on-street parking spaces are to be created in front of these; whilst these spaces are within the development site, they will become part of the adopted highway and part of the area's residents' parking scheme. Nine of the remaining fifteen houses would have two parking spaces on driveways to the front or side. Plots 11 - 15 have integral garages which have been increased in size, following negotiation to 3m x 5.5m.
- 7.9 Provision of adequate off-street parking is an important element of the second phase of the development; concern has been raised both to the Council's highways section (resulting in further assessment of traffic regulation orders and residents' parking schemes) and following consultation on this planning application. It has therefore been important to secure integral garage spaces which are useable and the scheme amended accordingly. Within the development (excluding Plots 16 - 21) all properties have off-street parking and two additional, dedicated 'visitor' spaces are proposed. The eight on-street spaces on Green Street represent a practical way of providing more spaces in the area available. In terms of parking provision

the proposal is therefore considered to be in accordance with Policy BE2.

(v) Flood Risk (Policy NE10)

- 7.10 The application is accompanied by a Flood Risk Assessment which notes that the site is within Flood Risk Zone 3a (1 in 100 year flood risk) which means that it is vulnerable to flooding. The development is considered to pass the Sequential Test approach to site selection and also meets the Exception Test by providing wider sustainability benefits to the community in that it offers high quality family housing intended to retain families in the Meadows. The site is previously developed land and is considered to be safe without increasing flood risk elsewhere; its occupants/users are therefore considered to be safe for the lifetime of the development. The site is therefore considered to pass the criteria of the National Planning Policy Framework Exception Test. The proposal is therefore in accordance with Policy NE10.

(vii) Development's Contribution towards Open Space (Policy R2)

- 7.11 The application is accompanied by a financial appraisal which demonstrates that the development is unable to meet the S106 requirements which would usually be expected for the development. However, a reduced contribution of £20,000 has been offered for off-site public open space, which would be secured by way of a S106 obligation. Having regard to the issue of viability, the case for which has been justified, the reduced contribution is considered to satisfy the requirements of Policy R2.

8. SUSTAINABILITY / BIODIVERSITY (Policies BE4, NE5 and NE14)

- 8.1 The scheme incorporates a significant number of sustainability measures intended to achieve the AECB Silver Standard Code and is therefore consistent with Policies BE4 and NE14.
- 8.2 The submitted arboricultural survey recommends the removal of three sycamores, two in the adjacent Council depot and one on the boundary with the adjacent car park, as these are unworthy of retention. It is accepted that these individual trees do not contribute highly to the visual amenity of the area. Their removal, however, would not be necessary for the development to proceed. The other trees surveyed in this area would not be affected by the development and can be protected during building. The provision of new street trees within the development is welcomed. The proposal is therefore in accordance with Policy NE5.

9 OTHER MATTERS (Policy NE12)

- 9.1 The application identifies possible contamination of the site due to previous uses and details of testing and remediation can be secured by condition. The proposal is therefore in accordance with Policy NE12.

10 FINANCIAL IMPLICATIONS

None.

11 LEGAL IMPLICATIONS

The issues raised in this report are primarily ones of planning judgement. Should

legal considerations arise these will be addressed at the meeting.

12 EQUALITY AND DIVERSITY IMPLICATIONS

None.

13 RISK MANAGEMENT ISSUES

None.

14 STRATEGIC PRIORITIES

The proposal addresses the corporate theme of Transforming Nottingham's Neighbourhoods through the redevelopment of a vacant brownfield site and the delivery of a high quality, sustainability-led, family housing scheme.

15 CRIME AND DISORDER ACT IMPLICATIONS

None.

16 VALUE FOR MONEY

None.

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

1. Application No: 13/01436/PFUL3 - link to online case file:

<http://plan4.nottinghamcity.gov.uk/WAM/pas/findCaseFile.do?appNumber=13/01436/PFUL3>

2. Email from Pollution Control section dated 09.07.2013

3. Comments of Highways section dated 15.07.2013

4. Emails and letters from occupiers of 3, 5, 6, 12, 15, 20, 22, 24, 26, 27, 28, 31, 32, 34, and 36 Hunter Street, unknown address Queens Walk and 47 Victoria Embankment.

5. Email from Friends of Victoria Embankment dated 19.07.2013

17 Published documents referred to in compiling this report

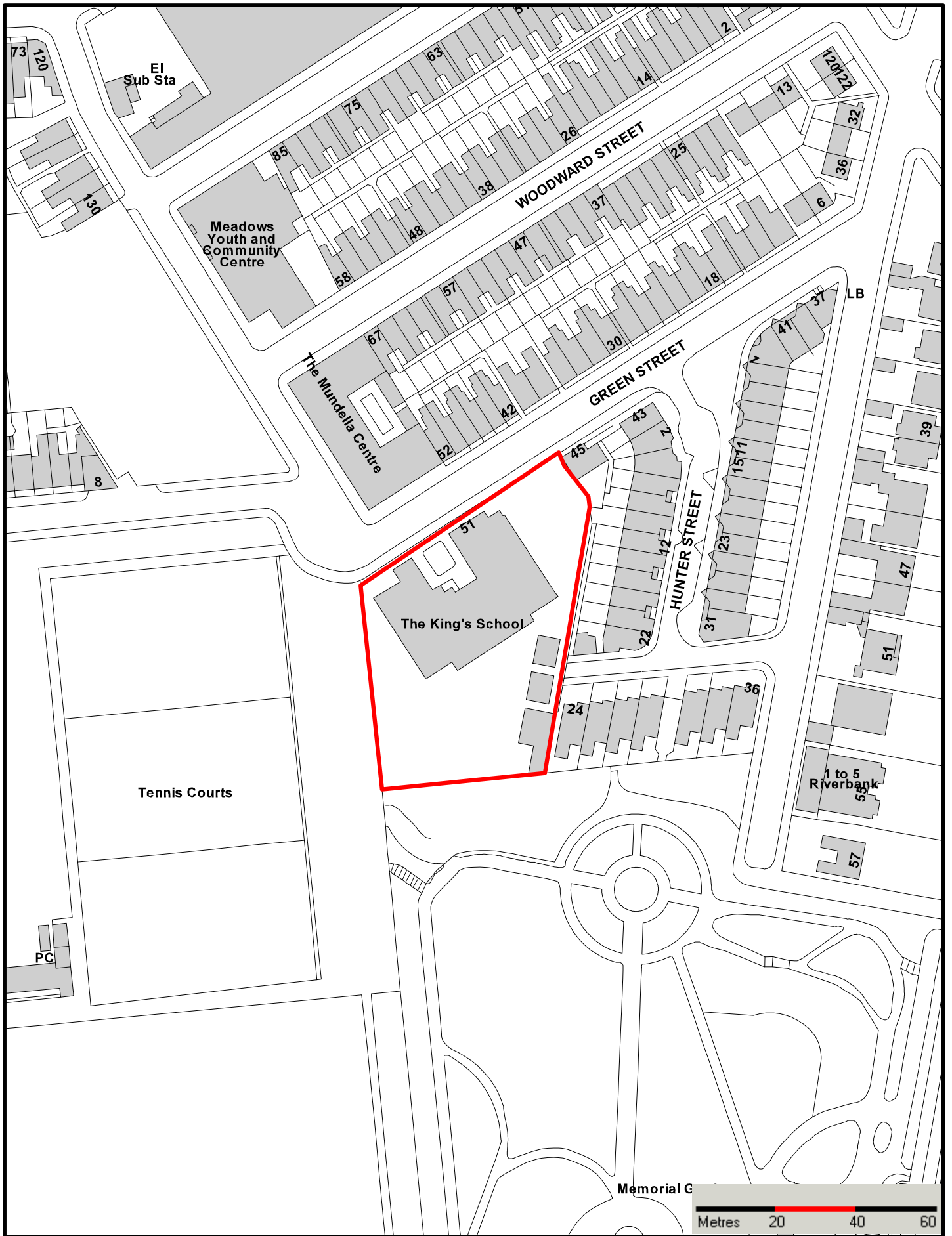
National Planning Policy Framework (2012)

Nottingham Local Plan (November 2005)

Contact Officer:

Mr P.H. Shaw, Case Officer, Development Management.

Email: philip.shaw@nottinghamcity.gov.uk. Telephone: 0115 8764076



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13/01436/PFUL3
The Kings School, Green Street



Nottingham
City Council

My Ref: 13/01436/PFUL3 (PP-02691653)
Your Ref:
Contact: Mr P.H. Shaw
Email: development.management@nottinghamcity.gov.uk



**Nottingham
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NG2 3NG

Tel: 0115 8764447
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Marsh:Grochowski
FAO: Mr Mike Askey
16 Commerce Square
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NG1 1HS

Date of decision:

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

Application No: 13/01436/PFUL3 (PP-02691653)
Application by: Blueprint (General Partner) Ltd
Location: Site Of Former The Kings School , 51 Green Street, Nottingham
Proposal: 21 new dwellings and associated works (revised plans).

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)

2. The development shall not be commenced until details of the external materials of all buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

Reason: To ensure that the appearance of the development will be satisfactory in accordance with Policy BE3 of the Local Plan.



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3. The development shall not be commenced until the following have been submitted to and approved in writing by the Local Planning Authority:
- a) details of the means of enclosure for the site boundaries and the individual plots;
 - b) details of the hard landscaping;
 - c) details of the external materials of the retaining walls;
 - d) details of the location and means of domestic bin storage;
 - e) details of domestic recycling measures.

Reason: To ensure that the appearance of the development will be satisfactory, in the interests of sustainable development in accordance with Policies BE3 and BE4 of the Local Plan.

4. The development shall not be commenced until details of the traffic calming measures for the junction between Hunter Street and the application site road, including means to prevent traffic mounting the footway, have been submitted to and approved in writing by the Local Planning Authority

Reason: In the interests of highway safety in accordance with Policy BE2 of the Local Plan.

5. The development shall not be commenced until the following have been submitted to and approved in writing by the Local Planning Authority;
- a) a detailed landscaping and planting scheme for the development indicating the type, height, species and location of proposed trees and shrubs;
 - b) details of new street tree planting, including details of location, species, size and planting troughs.

Reason: To ensure that the appearance of the development will be satisfactory in accordance with Policy BE5 of the Local Plan.

6. The development shall not be commenced until the following have been submitted to and approved in writing by the Local Planning Authority:
- j) a detailed scheme to deal with contamination of the site, which shall include an investigation and assessment to identify the nature and extent of contamination and the measures to be taken to avoid any risk to health and safety when the site is developed. In particular the scheme shall include:
 - i) proposals (including timescales for implementation) for dealing with any conditions or contamination which might be present on the site, and details of the proof testing regimes to be used to ensure that the remedial measures are effective;
 - ii) a contingency plan for dealing with any contamination, not previously identified in the site investigation, encountered during the development.

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

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

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



Pre-occupation conditions

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

8. No dwelling shall be occupied until the following have been carried out in accordance with the details submitted to and approved in writing by the Local Planning Authority:-

- a) the vehicular access, carriageway and car parking space/s to serve the dwelling have been provided;
- b) all off-site highway works have been carried out;
- c) the traffic calming measures have been carried out;
- d) the means of enclosure for the site boundaries and individual plot have been provided;
- e) the hard landscaping to serve the dwelling has been provided;
- f) the domestic recycling measures and bin storage have been provided;
- g) remedial or precautionary measures required to deal with ground contamination have been completed, and the approved regime of proof testing has been implemented to demonstrate the effectiveness of the remediation work, and the results have been submitted to the and approved in writing by the Local Planning Authority.

Reason: To ensure that the appearance of the development will be satisfactory, in the interests of sustainable development, in the interests of highway safety and to ensure that the site can be developed without health or safety risks to the occupiers of the development and/or adjoining occupiers in accordance with Policies BE2, BE3, BE4, BE5, NE5 and NE12 of the Local Plan.

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

Reason: To ensure that the appearance of the development will be satisfactory in accordance with Policy BE5 of the Local Plan.

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

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

Regulatory/ongoing conditions

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

11. Notwithstanding the provisions of any Town & Country Planning General or Special Development Order for the time being in force relating to 'permitted development' the dwellings shall not be enlarged, the garages shall not be converted to living accommodation, the roof terraces shall not be infilled and no ancillary buildings shall be erected without the prior express permission of the Local Planning Authority.

Reason: To ensure that the appearance of the development will be satisfactory and to protect the amenities of the occupants of nearby property in accordance with Policy BE3 of the Local Plan.



Standard condition- scope of permission

S1. 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 13 June 2013.

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 committee report, enclosed herewith and forming part of this decision.

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

4. If your building/construction works will have any effect on the footway, road or paved area next to your site you must contact the Council's Highways Team before you start. You can contact the Highways Hotline on 0115 915 2161 (Answerphone outside office hours) or Fax on 0115 915 2103 (anytime).

5. Noise Control: hours of work and equipment during demolition/construction
To assist with project planning, reduce the likelihood of justified complaint and avoid costly restriction and development delays, 'acceptable hours' are detailed below:-

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

Work outside these hours may be acceptable but must be agreed with Nottingham City Council's Pollution Control Section (Tel: 0115 9156410; Fax 0115 9156020).

Equipment

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

Dust/Grit and other fugitive emissions

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



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

Flexible plastic sheeting
Water sprays/damping down of spoil and demolition waste
Wheel washing
Periodic road cleaning

6. The City Council is responsible for the allocation of street names and property numbers/names. If your proposal will create a new property, through either new build or conversion, you should contact the Address Management section at an early stage of the development, if they have not already made contact. The section details are: Nottingham City Council, Loxley House, Station Street, Nottingham, NG2 3NG; e-mail address.management@nottinghamcity.gov.uk; telephone (0115) 8765012.

They will agree an official address with you and ensure that all relevant parties are notified of it, including the emergency services and Royal Mail. This will ensure the allocation of an official and unique address for each property, avoiding any problems with location or misidentification that can arise through the use of unauthorised addresses.

7. The Arboricultural Method Statement to be submitted shall be prepared in accordance with principles set out in British Standard 5837:2012- 'Trees in Relation to Design, Demolition and Construction - Recommendations'. It may include the following elements as appropriate:

- Protective fencing for retained trees
- Schedule of tree work
- Method of working within identified root protection areas
- Installation of service and utility runs
- Arboricultural monitoring and record keeping
- Pre-commencement site meeting
- Method of working for landscape operations

8. It should be noted that the City Council granted this permission following the signing of an agreement between the Council and the applicant in accordance with the provisions of Section 106 of the Town & Country Planning Act 1990, Section 111 of the Local Government Act 1972 or Section 33 of the Local Government (Miscellaneous Provisions) Act 1982. The terms of the agreement bind successors in the title and assigns and can be enforced against them.

Where a condition specified in this decision notice requires any further details to be submitted for approval, please note that an application fee will be payable at the time such details are submitted to the City Council. A form is available from the City Council for this purpose.

Your attention is drawn to the rights of appeal set out on the attached sheet.

RIGHTS OF APPEAL

Application No: 13/01436/PFUL3 (PP-02691653)

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

Any appeal must be submitted within six months of the date of this notice. You can obtain an appeal form from the Customer Support Unit, The Planning Inspectorate, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Phone: 0117 372 6372. Appeal forms can also be downloaded from the Planning Inspectorate website at <http://www.planning-inspectorate.gov.uk/pins/index.htm>. Alternatively, the Planning Inspectorate have introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal - see www.planningportal.gov.uk/pes.

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

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

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

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

PURCHASE NOTICES

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

COMPENSATION

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



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