

REPORT OF HEAD OF DEVELOPMENT MANAGEMENT AND REGENERATION

Barrasford House, 1 Goldsmith Street

1 SUMMARY

Application No: 14/02072/PFUL3 for planning permission

Application by: CPMG Architects on behalf of 12 Property Rentals Ltd

Proposal: Change of use from disused nightclub and offices to create approx. 353sq.m retail and 55sq.m office uses on ground floor, and conversion of upper floors to self-contained student accommodation units, including a two-storey roof top extension.

The application is brought to Committee because it is for a major development providing a significant number of student apartments and also involves a S106 planning obligation. Committee is being recommended to grant planning permission subject to the completion of the S106 planning obligation and the recommended conditions.

To meet the Council's Performance Targets this application should have been determined by 26th December 2014

2 RECOMMENDATIONS

1. **GRANT PLANNING PERMISSION** for the reasons set out in this report, subject to:

(a) prior completion of a Section 106 Planning Obligation which shall include:

- i) A financial contribution of £57,981.60 towards the upgrade or improvement of open space or public realm within the city centre.
- ii) A student management agreement.

(b) the indicative conditions substantially in the form of those 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 planning permission be delegated to the Head of Development Management and Regeneration.

2. 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 The application site is located at the junction of Wollaton Street with Goldsmith Street, adjacent to the Royal Centre tram stop. The Theatre Royal (Grade II listed building) and Royal Concert Hall are opposite on Goldsmith Street. Opposite on Wollaton Street is Westminster Buildings (Grade II listed building) and terrace of three storey properties. Adjacent to the north is the single storey Royal Arcade and to the west and rear is the Crowne Plaza hotel. The site is adjacent to the Old Market Square Conservation Area, which includes the Theatre Royal and Westminster Buildings.
- 3.2 Barrasford House is a 1970s five storey red brick building. It occupies a prominent central position in the view from Upper Parliament Street across Theatre Square, with the Theatre Royal to the right of the view and Westminster Buildings to the left. It has a raised main corner entrance.
- 3.3 The building has been previously used as a nightclub with various offices above, although it has now been vacant for several years. There is no relevant recent planning history.

4 DETAILS OF THE PROPOSAL

- 4.1 The proposal is for a mixed use development comprising student accommodation on the upper floors (x144 studios), with a retail unit, offices, and student management facilities on the ground floor. There is an enclosed courtyard space to the rear that would accommodate refuse storage, cycle parking (x36) and a limited number of car parking spaces (x6).
- 4.2 The proposal also includes a two-storey roof top extension. This addition is to be set back from the main elevation of the existing building and is to be fully glazed, using a combination of clear and blanked glazed panels. The facing brickwork of the existing building is to be cleaned and the existing windows are to be replaced with new dark grey units to match the existing pattern. New shopfront glazing is to be provided across the ground floor and a platform lift unit is to be installed to provide for disabled access to the retail unit.

5 CONSULTATIONS AND OBSERVATIONS OF OTHER OFFICERS

Adjoining occupiers consulted:

1 – 15(o); 7a; 9a – 11; Crowne Plaza; Ramada, Wollaton Street
1; 1 – 2 Royal Arcade, Goldsmith Street
1 – 14; 19; 20 – 34; 36 – 58 Westminster Buildings
94 – 96 Upper Parliament Street
Theatre Royal Upper Parliament Street
Royal Concert Hall South Sherwood Street

The application has also been advertised by a site and press notice.

Responses

Neighbour, 7 Wollaton Street: Support. There has been a decline in passing trade even although the tram stop is situated nearby. Consider that the proposed development would enhance this area of the city.

Additional consultation letters sent to:

Pollution Control: No objection subject to conditions relating to air quality, noise assessment and sound insulation, and control of retail opening and servicing hours in the interests of the amenity of future residents.

Highways: No objection subject to conditions including construction management, revised access details to improve pedestrian movement, and improved surface water drainage measures.

Urban Design: The reuse of this prominent building at an important position in the city centre is welcomed. It is considered that the revised approach to the design of the two storey rooftop extension will provide an elegant contemporary addition to the building which, subject to careful detailing, will enhance the presence of this building in its context with neighbouring listed historic buildings.

Nottingham Civic Society: Concerned that the appearance of the extended building could be significantly improved if the glazed 'lightweight' extension were limited to a single storey above an additional brick storey built up from the existing building. The proposed two storey roof top extension creates a top heavy appearance of a double deck structure, despite being mainly glazed with a lightweight frame. The design limitations of the double height roof extension of this type are evident at the Hicking Pentecost factory conversion on Queens Road south of the railway station. If the brickwork were to be raised by one storey, and a lightweight single storey set back from the parapet edge added above, a better proportioned building would result. Restoring an active retail use to the ground floor would be greatly welcomed to support the streetscape around the tram stop.

Nottingham Express Transit: The applicant needs to be aware that the tram overhead wires and a CCTV camera for the tramway are attached to Barrasford House. This equipment will need to remain in-situ whilst the works are undertaken, and the CCTV will need to remain operational at all times. Request that a condition be included on any permission requiring the applicant to agree a method statement with Nottingham Trams Limited in advance of starting works.

6 RELEVANT POLICIES AND GUIDANCE

National Planning Policy Framework:

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

- 6.3 Paragraphs 56-64 of the NPPF sets out the approach for achieving good quality design, including responding to local character, creating a strong sense of place and resisting poor design that fails to take opportunities to improve the character and the quality of an area.
- 6.4 Paragraph 96 states that new development should be expected to take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.
- 6.5 Paragraph 111 states that planning decisions should encourage the effective use of land by re-using land that has been previously developed.
- 6.6 Annex 1 states that the NPPF aims to strengthen local decision making and reinforce the importance of up-to-date plans. For the purpose of decision-taking, the policies in the Local Plan should not be considered out-of-date and are to be afforded weight in accordance with their conformity with the NPPF.

Nottingham Local Plan (November 2005):

BE10 - Development Around Listed Buildings. Complies

BE12 - Development in Conservation Areas. Complies

E4 - Previously Used Employment Sites. Complies

H6 - Student Housing. Complies

NE9 - Pollution. Complies

R2 - Open Space in New Development. Complies

T3 - Car, Cycle and Servicing Parking. Complies

Aligned Core Strategy (September 2014)

Policy A - Presumption in favour of sustainable development. Complies

Policy 1 - Climate change. Complies

Policy 5 – Nottingham City Centre. Complies

Policy 10 – Design and Enhancing Local Identity. Complies

Policy 19 – Developer Contributions. Complies

Other Planning Guidance

Nottingham City Centre Urban Design Guide

Building Balanced Communities Supplementary Planning Document

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

7. APPRAISAL OF PROPOSED DEVELOPMENT

Main Issues

- (i) Proposed uses and impact on the amenities of neighbouring occupiers
- (ii) Scale and design of proposed rooftop extension.

Issue (i) Proposed uses and impact on the amenities of neighbouring occupiers (Policies E4 and H6 and Policy 5)

- 7.1 The application buildings have been vacant for several years. It is considered that there is limited prospect of them being reused/re-let for Class B1 office use and that the loss of this limited floorspace would not affect the supply of alternative sites or premises for employment use. A small office is retained on the ground floor. It is therefore considered that the proposed alternative student accommodation use accords with Policy E4 of the Local Plan.
- 7.2 Goldsmith Street is conveniently located within a short walking distance of Nottingham Trent University campus and the city centre amenities. It is considered that the provision of good quality converted accommodation in this location will attract students that could otherwise occupy houses of multiple occupation outside of the city centre. Consequently, it is considered that the proposed student accommodation use accords with the Building Balanced Communities Supplementary Planning Document, Policy H6 regarding the location of student accommodation development, and Policy 5 of the Adopted Core Strategy with regards to diversifying the profile and mix of City Centre housing.
- 7.3 The proposed retail use on the ground floor of the building, adjacent to the Royal Centre NET tram stop, is considered to be an appropriate use that will increase the vitality and viability of the area throughout the day and accords with Policy 5 of the Adopted Core Strategy with regards to increasing the retail floorspace of the City Centre.

Issue (ii) Scale and design of proposed rooftop extension (Policies BE10 and BE12 and Policy 10)

- 7.4 The prominence and context of the application building to the neighbouring listed buildings and adjacent Conservation Area is recognised. The proposed rooftop extension would alter this relationship and has required that careful consideration be given to its design. There is a robust quality to the architecture of the existing building, and it is also appropriate to ensure that an extension is complementary to its appearance.
- 7.5 It is considered that the principle of a two storey rooftop extension is appropriate to this building. The extension is set back from the existing red brick elevation, deferring to the original building and ensuring that its robust primacy is maintained. The design of the extension has also been made as lightweight and contemporary as possible, complementing through its contrast with the visual strength of the original building. The extension is to be fully glazed with minimal external construction detailing. Clear glazing to the studio bedrooms is managed in a regular rhythm, with other blanked glazed panels forming the rest of the elevation. The elevations will, therefore, be as smooth and as uninterrupted as possible, using the precedent of the Eon building on Burton Street as a guiding aesthetic.

- 7.6 The comments of the Nottingham Civic Society are acknowledged and it is noted that these relate to the initial iteration of the design, which has now evolved further. It is considered that the amended design provides a contemporary lightweight quality of finish that is complementary to the building and area. Nottingham Civic Society has been reconsulted for their further views, which will be updated to the Committee meeting.
- 7.7 It is considered that the scale and design of the proposed rooftop extension is appropriate and will enhance the appearance of the building and its context with the neighbouring listed buildings and adjacent Conservation Area, in accordance with Policies 10 and 12 of the Local Plan and Policy 10 of the Adopted Core Strategy.

Other Matters (Policies NE9, R2 and T3, ACS Policy 19)

- 7.8 In accordance with Policy R2 of the Local Plan, Policy 19 of the ACS, and the Planning Guidance for the Provision of Open Space Within Developments SPG it is intended that the Section 106 planning obligation also secures a financial contribution of £57,981.60 towards the upgrade or improvement of open space or public realm within the city centre.
- 7.9 Highways have no objection to the proposed development subject to conditions, including construction management, revised access details to improve pedestrian movement, and improved surface water drainage measures. It is, therefore, considered that the proposed development accords with Policy T3.
- 7.10 Pollution Control advise that they have no objection subject to conditions relating to air quality, noise assessment and sound insulation. In accordance with Policy NE9, it is therefore recommended that conditions are attached to a consent.
- 7.11 Provision for local employment and training during the construction and operation of the development is also to be included in the Section 106.

8. SUSTAINABILITY (Policy 1)

- 8.1 The application submission includes an Energy Statement. The report advises that 230m² of photovoltaic panels are proposed to be installed on the flat roofed areas of the building to provide a 10% reduction in carbon emissions. The proximity of District Heating has been identified to the applicant, but this has subsequently been advised as being currently unviable due to the costs of taking the supply under the tram line compared to the scale of development. This has been verified with Enviroenergy. Subject to planning conditions requiring further details and implementation of the photovoltaic panels, it is considered that the proposed measures accord with Policy 1 of the Adopted Core Strategy.

9 FINANCIAL IMPLICATIONS

None.

10 LEGAL IMPLICATIONS

The issues raised in this report are primarily ones of planning judgement. Should legal considerations arise these will be addressed at the meeting.

11 EQUALITY AND DIVERSITY IMPLICATIONS

None.

12 RISK MANAGEMENT ISSUES

None.

13 STRATEGIC PRIORITIES

Neighbourhood Nottingham: Providing a high quality and sustainable development.

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

14 CRIME AND DISORDER ACT IMPLICATIONS

None.

15 VALUE FOR MONEY

None.

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

1. Application No: 14/02072/PFUL3 - link to online case file:

<http://publicaccess.nottinghamcity.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=NAWUO8LYCB000>

2. NET, 9.10.14

3. Highways, 10.10.14

4. Pollution Control, 23.10.14

5. J. Sheard, 24.10.14

6. Nottingham Civic Society, 30.9.14

17 Published documents referred to in compiling this report

Nottingham Local Plan (November 2005)

Aligned Core Strategy (September 2014)

Building Balanced Communities Supplementary Planning Document

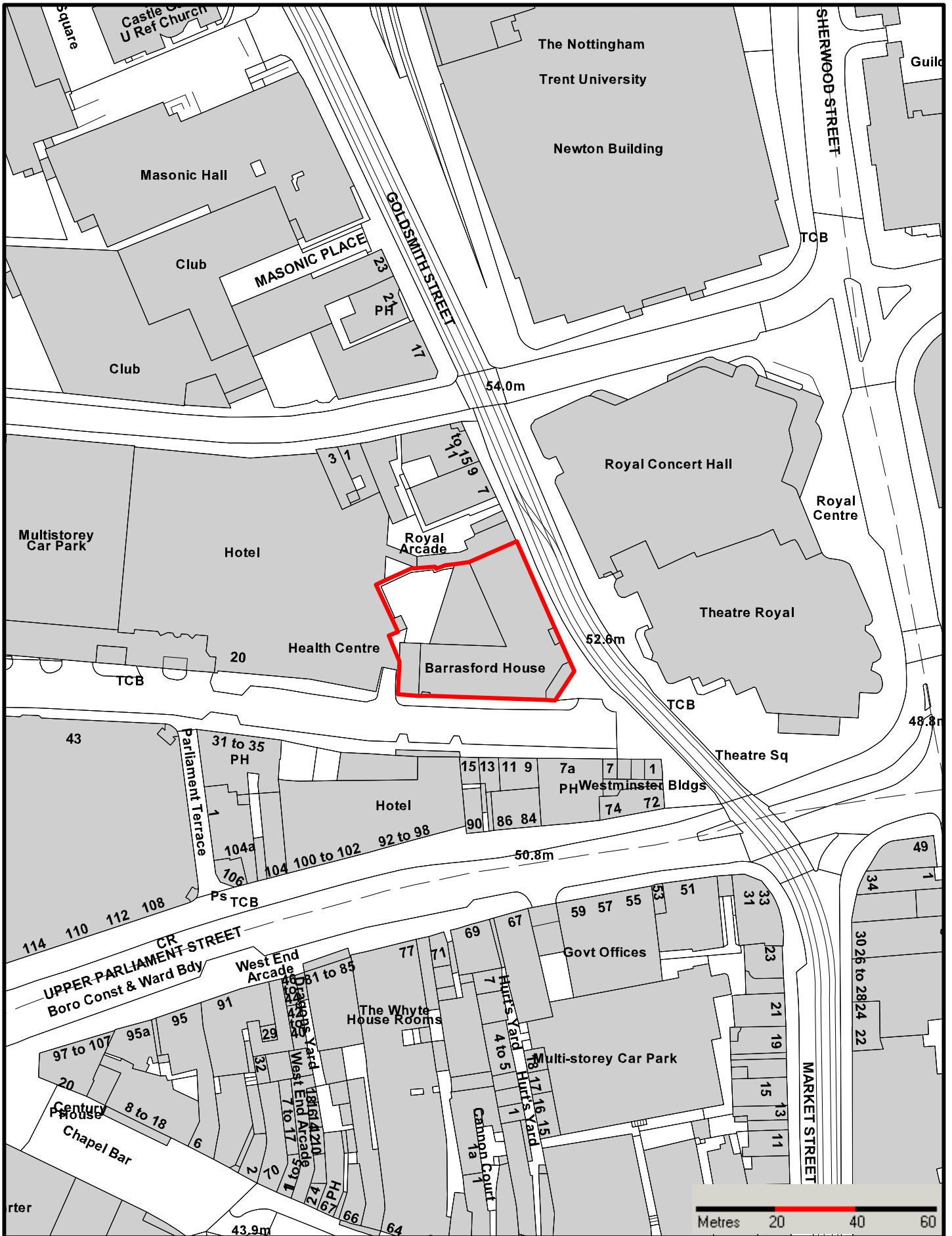
Planning Guidance for the Provision of Open Space Within Developments

Supplementary Planning Guidance

Contact Officer:

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Nottingham
City Council

My Ref: 14/02072/PFUL3 (PP-03408571)
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Date of decision:

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

Application No: 14/02072/PFUL3 (PP-03408571)
Application by: 12 Property Rentals Ltd
Location: Barrasford House, 1 Goldsmith Street, Nottingham
Proposal: Change of use from disused nightclub and offices to create approx. 353sq.m retail and 55sq.m office uses on ground floor, and conversion of upper floors to self-contained student accommodation units, including a two-storey roof top extension.

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. Prior to the commencement of the development, an environmental noise assessment and sound insulation scheme shall be submitted to and be approved in writing by the Local Planning Authority.

The environmental noise assessment shall take into account the impact of road traffic noise and be carried out whilst any premises and/or activities in the vicinity that are likely to have an adverse effect on noise levels are operating. In addition it shall include predicted noise levels for any plant and equipment which will form part of the development, octave band analysis and all assumptions made (e.g. glazing and façade areas).

The sound insulation scheme shall include the specification and acoustic data sheets for glazed areas of the development and any complementary acoustical ventilation scheme and be designed to achieve the following internal noise levels:

- i. Not exceeding 30dB LAeq(1 hour) and not exceeding NR 25 in bedrooms for any hour between 23.00 and 07.00,
- ii. Not exceeding 35dB LAeq(1 hour) and not exceeding NR 30 for bedrooms and living rooms for any hour between 07.00 and 23.00,
- iii. Not more than 45dB LAmax(5 min) in bedrooms (measured with F time weighting) between the hours of 23.00 and 07.00,
- iv. Not more than 50dB LAeq(1 hour) for garden areas (including garden areas associated with residential homes or similar properties).

Reason: To ensure that the residential occupiers of the development do not experience noise nuisance in accordance with Policy NE9 of the Nottingham Local Plan and Policy 10 of the Adopted Core Strategy.

3. Prior to the commencement of the commercial elements of the approved development, an environmental noise assessment and sound insulation scheme shall be submitted to and be approved in writing by the Local Planning Authority.

The environmental noise assessment shall provide sufficient detail to demonstrate that the combined noise from any mechanical services plant or equipment (including any air handling plant) specified to serve the development and running at 100% load shall not exceed a level 10dB below the existing ambient LA90 background noise level, at a point 1 metre from the window of any nearby noise sensitive premises at any time during the relevant operational period of the development.

No items of plant or equipment (either singly or in combination) shall have a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulses (bangs, clicks, clatters, thumps).

Reason: To ensure that the residential occupiers of the development do not experience noise nuisance in accordance with Policy NE9 of the Nottingham Local Plan and Policy 10 of the Adopted Core Strategy.

4. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall as a minimum include details of the type, size and frequency of vehicles to/from the site, haul routes (if any), staff parking provision (including subcontractors), site security, traffic management plans, wheel cleaning facilities and measures to prevent the deposit of debris on the highway and a timetable for its implementation. Thereafter the construction plan shall be implemented in accordance with the approved details and timetable unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid prejudice to traffic conditions within the vicinity of the site and to safeguard the amenities of neighbours in accordance with Policy NE9 of the Nottingham Local Plan and Policy 10 of the Adopted Core Strategy.

5. No development shall commence until large-scale elevation and section drawings of the following elements of the building have been submitted to and approved in writing by the Local Planning Authority:

- a) the two storey rooftop extension, including glazing system, parapet detail, and colour.
- b) the replacement windows to the existing building, including frame details, confirmation of the retention of the existing reveal depth, and colour.
- c) the parapet guarding/handrails.
- d) the new shopfronts and entrances to the ground floor, including frame colour.

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

Reason: In order to ensure the quality of detailed design of the development in accordance with Policy 10 of the Adopted Core Strategy.

6. No development shall commence until details of the position and design of the approved sustainable measures (photovoltaic panels) have been submitted to and approved by the Local Planning Authority. The details shall accord with the approved Energy Statement (Couch Perry Wilkes Ref 13319BA, dated 07/05/14).

Reason: In order to ensure that these measures are incorporated into the approved development, in the interests of the sustainable development of the site and in accordance with Policy 1 of the Aligned Core Strategy.

Pre-occupation conditions

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

7. Prior to first occupation of the development, verification that the approved sound insulation scheme has been implemented and is fully operational shall be submitted to and be approved in writing by the Local Planning Authority.

Reason: To ensure that the residential occupiers of the development do not experience noise nuisance in accordance with Policy NE9 of the Nottingham Local Plan and Policy 10 of the Adopted Core Strategy.



8. The applicant shall submit written verification to the Local Planning Authority that the approved mechanical services plant or equipment (including any air handling plant) specified to serve the development including any mitigation measures have been implemented prior to occupation of any part of the development.

Reason: To ensure that the residential occupiers of the development do not experience noise nuisance in accordance with Policy NE9 of the Nottingham Local Plan and Policy 10 of the Adopted Core Strategy.

9. Prior to first occupation of the development, verification that the approved air quality management scheme has been implemented and is fully operational shall be submitted to and be approved in writing by the Local Planning Authority.

Reason: The application site falls within an Air Quality Management Area for nitrogen dioxide declared by Order. Therefore, in order to ensure that the occupants of the approved development are not exposed to elevated levels of nitrogen dioxide in accordance with Policy NE9 of the Nottingham Local Plan and Policy 10 of the Adopted Core Strategy.

10. The approved development shall not be occupied until the approved sustainable measures (photovoltaic panels) have been implemented in accordance with the details that are to be approved under Condition 6 of this consent.

Reason: In order to ensure that these measures are incorporated into the approved development, in the interests of the sustainable development of the site and in accordance with Policy 1 of the Aligned Core Strategy.

11. The approved development shall not be occupied until the vehicular access into the development from Wollaton Street has been improved with a drop crossing, the details of which shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of ensuring that these works are carried out in association with the approved redevelopment of the site and in the interests of highway safety in accordance with Policy T3 of the Nottingham Local Plan.

12. The approved development shall not be occupied until details of a turning space to enable vehicles always to enter and leave the site in a forward direction shall be submitted to and approved by the Local Planning Authority. The approved turning space shall be kept available within the site at all times the approved development remains in use.

Reason: In the interests of highway safety in accordance with Policy T3 of the Nottingham Local Plan.

Regulatory/ongoing conditions

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

13. Servicing, deliveries and collections from the retail store shall not take place outside the hours of 07:30 hrs to 19:00 hrs Monday to Friday, 08:00 hr to 19:00 hrs Saturday and not on Sundays or Bank Holidays.

Reason: In the interest of the residential amenity of occupants of the approved development in accordance with Policy NE9 of the Nottingham Local Plan.

14. The retail store shall not be open to customers outside the hours of 07:00 hrs to 23:00 hrs on any day.



Reason: In the interest of the residential amenity of occupants of the approved development in accordance with Policy NE9 of the Nottingham Local Plan.

Standard condition- scope of permission

S1. Except as may be modified by the conditions listed above, the development shall be carried out in complete accordance with the details described in the forms, drawings and other documents comprising the application as validated by the council on 26 September 2014.

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 development is located either within or on the boundary of an Air Quality Management Area declared under the provisions of Part IV of the Environment Act 1995. Air Quality Management Areas are designated where the air quality objectives as set out in the Air Quality (England) Regulations 2000 (as amended) [the Regulations] are not being achieved.

In this context an area of poor air quality means that the air quality objectives for nitrogen dioxide, as set out in the Regulations, are not being met.

While no air quality assessment is required in this situation, an air quality assessment using an appropriate methodology (eg atmospheric dispersion modelling or DMRB screening) will be required to establish which floors of a multi-storey building do not require an appropriate ventilation scheme.

The air quality management scheme shall include the design and configuration specification of the whole building ventilation scheme and ensure that:

- Exposure of sensitive receptors to poor air quality shall be reduced as far as practicable;
- The location of clean air intakes for the scheme shall be located so as to maximise the vertical and horizontal distance between the clean air intakes and the primary source of poor air quality / air pollution;
- The discharge of ventilation air shall be from the building façade facing the primary source of poor air quality;

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

Consideration will also be given to alternative equivalent measures to reduce exposure to poor air quality. However these may require the support of an air quality assessment to demonstrate their effectiveness.

The combined noise from the whole building ventilation scheme, any other environmental noise and noise from plant and equipment must not exceed NR 25 in bedrooms between the hours of 23.00 and 07.00 or NR 30 for living rooms and bedrooms between the hours of 07.00 and 23.00.

4. The environmental noise assessment shall be suitable and sufficient, and shall be undertaken by a competent person having regard to BS 7445: 2003 Description and Measurement of Environmental Noise. The internal noise levels referred to are derived from BS 8233: 2014 Sound Insulation and Noise Reduction for Buildings.

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

5. The environmental noise assessment must be suitable and sufficient and must be undertaken with regard to BS 7445: 2003 Description and Measurement of Environmental Noise.

The environmental noise assessment must include details of the type and model of all mechanical services plant or equipment (including any air handling plant) together with its location, acoustic specification; mitigation measures and relevant calculations to support conclusions.

The mechanical services plant or equipment (including any air handling plant), including any mitigation measures, must be maintained, serviced and operated in accordance with manufacturer's recommendations while the development continues to be occupied.

6. Adequate precaution shall be taken during the construction period to prevent the deposit of mud and other similar debris on the adjacent public highways in the interests of highway safety.

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: 14/02072/PFUL3 (PP-03408571)

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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DRAFT ONLY
Not for issue