

**REPORT OF HEAD OF DEVELOPMENT MANAGEMENT AND REGENERATION**

**New College Nottingham, Stockhill Lane**

**1 SUMMARY**

Application No: 13/02764/PFUL3 for planning permission

Application by: Ellis Williams Architects on behalf of New College Nottingham

Proposal: Demolition of existing college buildings, construction of 4/5 storey college building and two storey sustainable construction innovation and enterprise centre.

The application is brought to Committee because it is a major and complex development of significant public interest.

To meet the Council's Performance Targets this application should be determined by 26th February 2014

**2 RECOMMENDATIONS**

**GRANT PLANNING PERMISSION** subject to the conditions substantially in the form listed in the draft decision notice at the end of this report.

Power to determine the final details of the conditions to be delegated to Head of Development Management and Regeneration.

**3 BACKGROUND**

3.1 The application relates to the site of Basford Hall College, which is one of the six campuses of New College Nottingham. The site is located to the north east of Nuthall Road with vehicular access off Stockhill Lane to the south east. It is bound by residential properties to the north west, north and east and by a recreation ground with tennis courts and bowling green to the south east. There are pedestrian accesses via Nuthall Road (to the south west) Stockhill Lane (to the south east) Babbington Drive (to the north west).

3.2 The Basford Hall Campus delivers a construction, engineering and science curriculum and comprises a five storey teaching block and a single storey workshop building, in addition to a number of smaller ancillary buildings. There are two car parks within the site and playing fields to the north east of the main buildings, which are allocated as part of the Open Space Network within the Local Plan. There are a number of protected trees within the playing fields and a group of mature trees along the Nuthall Road frontage of the site. Planning permission was granted for an open air classroom, in the form of a mock construction site, at the north eastern edge of the site, in May 2012 and this has been implemented.

## **4 DETAILS OF THE PROPOSAL**

- 4.1 The application seeks permission to construct a new four/five storey college building and a two storey sustainable construction, innovation and enterprise centre (SCIEC). The existing college buildings would be demolished. The proposed works would be phased to enable the college to remain operational throughout the project.
- 4.2 The proposed college building would be located at the southern end of the site, closer to Nuthall Road than the existing buildings. It would comprise a four storey central facilities area with entrance foyer, refectory and staff areas, a five storey teaching wing and a four storey construction and engineering wing. The existing Bulwell stone wall along Nuthall Road would be partially removed to increase pedestrian permeability and give the building significant presence on the Nuthall Road frontage.
- 4.3 The proposed SCIEC building would provide 12 incubation units for local businesses falling within use Class B1 (offices, research and development and light industry), a workshop, a meeting room and exhibition space. The building would be detached from the main college building but would have functional links such as shared use of the services.
- 4.4 The main car park would be located to the rear of the new college building and would provide 153 spaces. A second, smaller car park with 12 spaces, would be provided to the rear of the SCIEC building. The playing fields and the mock construction site to the north of the existing college buildings would be retained.
- 4.5 A memorandum of understanding, which sets out the applicant's commitment to Employment and Training opportunities in relation to both the construction and operational phases of the development, has been agreed.

## **5 CONSULTATIONS AND OBSERVATIONS OF OTHER OFFICERS**

### **Adjoining occupiers consulted:**

82 letters were sent to the following neighbouring addresses;

2-10 (evens) Babbington Drive  
122-126 (evens) 135, 137, 141-175 (odds) Bagnall Road  
34, 36, 38-47 Blackthorne Drive  
1-9 (odds) 8, 10 Farwells Close  
55 Goldcrest Road  
64-74(evens) 80, 82, 88-100 (evens) Ladbrooke Crescent  
583, 585, 587, 650, 652, 656, 698 and Christ Church Cinderhill, Nuthall Road  
9, 11, 15, 46 and 48 Rowans Crescent  
7-10 Sandyford Close  
9 and 20 Sedgebrook Close

Site notices were posted on 10<sup>th</sup> December 2013.

A press advertisement was published on 11<sup>th</sup> December 2013.

Letters were also sent to Ward Councillors and the Local MP.

Two letters of representation were received from the occupiers of no. 194 Bagnall

Road and no. 2 Babbington Drive, objecting to the proposals on the following grounds:

- Traffic displacement from the College is already a significant issue within surrounding residential streets and residents and Local ward Councillors are seeking to address this. The proposal to reduce the number of parking spaces within the campus by 100, would exacerbate existing on-street parking problems
- Litter is already an issue in and around the College campus. Concerned that the proposals would cause an increase in litter.
- There are already issues with trespassing, with dog walkers and motorbikes entering the college site. Security of the new site is of concern.

A letter expressing full support for the proposals has been received from the Local MP.

### **Additional consultation letters sent to:**

**Pollution Control:** No objection.

**Highways:** No objection. The reduction in car parking spaces is justified within the supporting Transport Statement. Conditions requiring a revised travel plan, reconfiguration of disabled parking spaces and cycle parking, construction management plan and methods for protecting the culverted watercourse, are recommended.

**Biodiversity and Greenspace:** No objection. Bat survey and scheme for managing Japanese Knotweed required. Conditions to secure these requirements are recommended.

**Trees:** There are ongoing discussion with the applicant about the retention of specific trees and the impact of construction works around them.

**Heritage and Urban Design:** No objection. The scheme is welcomed in terms of its contribution to the City, the local community and the street scene. The high quality design of the buildings and the relationship of these with the proposed amenity spaces work well. Clarification as to how the formal setting of the proposed spaces will be used has been requested together with the associated form of enclosure. In particular the justification of the substantial demolition of the Bulwell stone wall at the back of footway, which could help to enclose the new spaces. Retention of two of the large trees at the front of the site will help retain some of the existing character and contribute to the visual interest of the campus from the street.

**Police ALO:** No objection.

## **6 RELEVANT POLICIES AND GUIDANCE**

### **National Planning Policy Framework (2012):**

The NPPF advises that there is a presumption in favour of sustainable development, the deliverance of a strong competitive economy 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. The NPPF attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible

from good planning and should contribute positively to making places better for people. The NPPF also advises that decisions should aim to ensure that developments will function well and add to the overall quality of the area, establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit and are visually attractive as a result of good architecture and appropriate landscaping.

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

ST1 - Sustainable Communities.

CE8 - Further and Higher Education.

BE2 - Layout and Community Safety.

BE3 - Building Design.

BE5 - Landscape Design.

NE3 - Conservation of Species.

NE9 - Pollution.

NE10 - Water Quality and Flood Protection.

T3 - Car, Cycle and Servicing Parking.

## **7. APPRAISAL OF PROPOSED DEVELOPMENT**

### **Main Issues**

- (i) Principle of the development
- (ii) Design
- (iii) Highway safety and parking
- (iv) Impact upon residential amenity

### **Issue (i) Principle of the development (Policies, ST1 and CE8)**

- 7.1 The site is an existing education use on unallocated land within the Nottingham Local Plan. Policy CE8 supports proposal for Further and Higher Education and ancillary uses on this site. The principle of constructing a new college on this site is therefore acceptable. Policy ST1 c) seeks to secure development which will contribute to the strengthening and diversifying of the economic base of the city and provide access to local employment opportunities. The proposed SCIEC building would provide a stepping stone for new businesses from education and training to employment and enterprise and as such would increase opportunities for employment within the locality.
- 7.2 There is no objection to the demolition of the existing college buildings, which are not recognised as being of any architectural merit and do not meet the evolving requirements of the College to enable the successful delivery of their curriculum.

## **Issue (ii) Design (Policies BE2, BE3 and BE5)**

- 7.3 The proposed college building has been designed to respond to the curve of the site along Nuthall Road and provide greater street presence along this frontage. The building would be visible when approaching from both directions but would be set back within the site by a sufficient distance to avoid any dominating impact upon the surrounding urban streetscape. The space to the front of the building would create a welcoming entrance and useable space with areas of hard and soft landscaping. The creation of multi-functional spaces and grouping together of the different types of spaces needed by the college e.g. classrooms and workshops, has allowed a more efficient use of space and reduced the overall footprint of built form. The smaller scale of the proposed SCIEC building is considered to be appropriate for its location on the site frontage and would be more in keeping with nearby buildings. The proposed buildings would be contemporary in appearance.
- 7.4 The use of a wide palette of materials to include blue brick, render panels, laminate and metal cladding, aluminium and coloured glazing, would ensure that buildings would be sufficiently prominent but would respond to the wider urban and landscape setting of the site. External areas around the college would be landscaped to create useable green space and would enhance existing green areas and trees of significance, within the site. Green screening would be used around utilitarian areas of the site such as the car park and service yard. Conditions requiring the submission of materials and a comprehensive landscaping strategy are recommended. Subject to the conditions outlined above, it is considered that the proposals comply with policies BE2, BE3 and BE5 of the Local Plan.

## **Issue (iii) Highway safety and parking (Policies BE2 and T3)**

- 7.5 Vehicular access to the new college would be via the existing driveway off Stockhill Lane. The proposed site layout has good internal carriageway capacity which will provide useful storage of mobile (slow moving) vehicles should the site become congested at peak use times. The proposal does not facilitate any increase in student capacity and on this basis it is not considered that there would be any significant impact upon the surrounding highway network, through increased traffic or congestion. A condition requiring the submission of a construction management plan is recommended to minimise any impacts arising through the construction phase of the development.
- 7.6 Local residents have expressed concerns about the existing on street parking problems within surrounding residential streets, which they believe to be caused by users of the college. The Highway Authority are aware of the existing parking concerns and are working closely with Councillors and residents to introduce where deemed necessary, residents parking schemes and altered traffic regulation orders.
- 7.7 The existing car parks within the site would be removed and amalgamated into a single car park for use by the staff and students and visitors to the college, reducing the number of spaces from 220 to 153. Concern has been expressed by Local residents that this reduction in on site parking provision will exacerbate existing on-street parking issues on surrounding residential streets. However, the applicant has submitted a Transport Statement which provides justification for this loss. The reduction in the number of parking spaces is proportionate to the reduction in floor space within the college and retains an appropriate level of parking for an education facility of this size. There will also be a drop off area near to the college entrance to

assist free flowing of traffic movements. This drop off area will be used for people dropping off and collecting, who would have previously made use of spaces within the car park.

- 7.8 In addition to the above, the College have also submitted a travel plan which sets out their commitment to the promotion of sustainable transport. The site is located within walking distance of the Cinderhill Tram Stop and there is a well served bus route along Nuthall Road. The proposals also include the provision of secure and well lit cycle parking and motorcycle parking. Whilst the travel plan is sufficient to demonstrate the commitment to this cause and to justify the loss of parking spaces, a condition requiring a revised 10 year travel plan, including a car parking management plan, which provides a greater level of detail is recommended.
- 7.9 The car parking layout is generally considered to be acceptable in principle. However, the disabled bays could be located closer to the building. It is also considered that the cycle storage could be better located across the site in order to encourage wider use of pedal cycles. Conditions requiring details of a reconfigured parking layout (relating specifically to disabled parking bays) and relocate cycle storage, are therefore recommended. In view of the above it is considered that the proposals would comply with policies BE2 and T3 of the Local Plan.

#### **Issue (iv) Impact upon residential amenity (Policy BE3)**

- 7.10 The new college building and SCIEC building would be located closer to the Nuthall Road frontage than the existing buildings. Other than potential noise and disturbance through the construction and demolition phases (which can be mitigated through the construction management plan) it is not envisaged that the proposals would have any significant additional impact upon the amenities of nearby residential properties. As such, it is considered that the proposals would comply with the relevant criteria of policy BE3 of the Local Plan.

#### **Other Issues**

- 7.11 Concern has been raised by a local resident about the potential for increase in litter on surrounding streets. As the proposed college buildings would replace an existing facility of the same capacity, it is not considered that the proposals would result in any increase in litter within the areas. Litter bins will be provided around the site and the College is to be reminded of its responsibilities to ensure that students are respectful of neighbouring residential properties.
- 7.12 A concern about existing problems of trespass on the site has also been raised. The public has unrestricted access to the number of Rights of Way that pass through the site. Public access to other areas of their site is a matter for the college to manage, and not specifically a planning matter.

### **8. SUSTAINABILITY / BIODIVERSITY (Policies BE4, NE3, NE10 and NE14)**

- 8.1 The buildings will be constructed using sustainable materials and renewable technologies will be incorporated to achieve a high level of energy efficiency. Combined Heat and Power (CHP) and air source heat pumps will be used for the main college building and Photovoltaic panels and air source heat pumps will be used for the SCIEC building. Data has been provided which demonstrates that the chosen renewable technologies for each building will achieve a 10% reduction in carbon emissions. The proposals would therefore comply with policies BE4 and

NE14 of the Local Plan.

- 8.2 The site falls within Flood Zone 1 which suggests a low risk of flooding. However, it is marked as high risk for Pluvial flooding, as indicated on the Environment Agency's surface water flooding maps. Due to the levels changes across the site, it will be important to ensure that the overland flood routes have been fully assessed to prevent internal flooding of the buildings. A condition to this effect is recommended.
- 8.3 There is a culverted watercourse which runs through the site. It will therefore be important to ensure that the proposals do not impede access to the watercourse or interfere with its flow. Whilst the culverted watercourse has an easement of 5 metres from the nearest building, this does not prevent the risk of damage by live loading. A condition is recommended to require that the culvert be located and protected during the construction and demolition phases.
- 8.4 The submitted ecology report identifies one of the smaller buildings, which is to be demolished, as having potential for roosting bats. It will be important to carry out further surveys to establish the presence or absence of bats prior to the demolition of this building and a condition to this effect is therefore recommended.
- 8.5 The ecology report also identifies the presence of Japanese Knotweed within the site but this is controlled under other legislation. A condition, requiring details of the Ecological enhancements identified within the submitted ecology report, such as planting of native species and installation of bird and bat roosting boxes, is also recommended. Subject to the conditions detailed above, it is considered that the proposals would comply with policies NE3 and NE10 of the Local Plan.

## **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**

World Class Nottingham – Enhanced further education facilities for the city

Working Nottingham – providing new employment and enterprise opportunities within the city

**14 CRIME AND DISORDER ACT IMPLICATIONS**

The applicants have consulted with the Police Architectural Liaison Officer throughout the design evolution process in order to reduce opportunities for crime and disorder. The Police ALO is satisfied that the current scheme has incorporated all the recommendations for improvement.

**15 VALUE FOR MONEY**

None.

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

1. Application No: 13/02764/PFUL3 - link to online case file:

<http://publicaccess.nottinghamcity.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=MWI44LLY00L00>

2. Highway comments received 13.01.14

3. Biodiversity Officer comments received 18.12.13

4. Pollution Control Comments received 17.12.13

5. Police ALO comments received 28.01.14

6. Letter from Graham Alan MP received 13.12.13

7. Comments from occupier of 194 Bagnall Road received 16.12.13

8. Comments from occupier of 2 Babbington Drive received 24.12.13

**17 Published documents referred to in compiling this report**

Nottingham Local Plan (November 2005)

National Planning Policy Framework (2012)

**Contact Officer:**

Mrs Zoe Kyle, Case Officer, Development Management.

Email: zoe.kyle@nottinghamcity.gov.uk. Telephone: 0115 8764059





**My Ref:** 13/02764/PFUL3 (PP-02996488)  
**Your Ref:**  
**Contact:** Mrs Zoe Kyle  
**Email:** development.management@nottinghamcity.gov.uk



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City Council**

Development Management  
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**Tel:** 0115 8764447  
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Ellis Williams Architects  
Mr Julian Baker  
Wellfield  
Chester Road  
Preston Brook  
Cheshire  
WA7 3BA

Date of decision:

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

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Application No: 13/02764/PFUL3 (PP-02996488)  
Application by: New College Nottingham  
Location: New College Nottingham, Stockhill Lane, Nottingham  
Proposal: Demolition of existing college buildings, construction of 4/5 storey college building and two storey sustainable construction innovation and enterprise centre.

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

**Time limit**

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

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

**Pre-commencement conditions**

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

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

3. The development hereby permitted shall not be begun until a detailed landscaping and planting scheme, for the development indicating the type, height, species and location of proposed trees and shrubs has been submitted to and approved in writing by the Local Planning Authority.

*Reason: To ensure that the appearance of the development is satisfactory in accordance with Policies BE3 and BE5 of the Local Plan.*

4. Notwithstanding the submitted details, the development hereby permitted shall not be begun until details of all means of enclosure around and within the site have been submitted to and approved in writing by the Local Planning Authority.

*Reason: To ensure that the appearance of the development is satisfactory, in accordance with Policy BE3 of the Local Plan.*

5. Notwithstanding the submitted details, the development shall not be commenced until details to show a revised car park layout, with disabled spaces relocated closer to the main entrance, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

*Reason: To provide safe and convenient parking provision for all, in accordance with Policy T3 of the Local Plan.*

6. Notwithstanding the submitted details, the development shall not be commenced until details to show revised cycle storage provision have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

*Reason: To ensure safe and convenient cycle storage in accordance with Policy T3 of the Local Plan.*

7. The development hereby permitted shall not be commenced 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 sub contractors), 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 strict 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 neighbouring residents in accordance with Policies BE2 and NE9 of the Local Plan.*

8. The development shall not be commenced until further information regarding the overland flood routes and finished floor levels of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

*Reason: To prevent an increased risk of flooding in accordance with Policy NE10 of the Local Plan.*

9. The development shall not commence until details of the exact location of the culverted water course and measures to protect the watercourse from live loading have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the commencement of development and retained in situ throughout the construction phase.

*Reason: To prevent contamination of the culverted watercourse in accordance with Policy NE10 of the Local Plan.*

10. Notwithstanding the submitted details, the development hereby permitted shall not be begun until a scheme for ecological enhancements within the site, in line with the recommendations within paragraph 5.8 of the Ecological Appraisal has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a wildflower meadow with a shade tolerant mix.

*Reason: In the interests of nature conservation in accordance with Policy NE3 of the Local Plan.*

**Pre-occupation conditions**

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

11. No part of the development hereby permitted shall be brought into use until contact details for the Travel Plan Coordinator have been provided to the Local Planning Authority. Thereafter any changes to the details shall be reported to the Local Planning Authority.

*Reason: To promote sustainable travel in accordance with Policy T3 of the Local Plan.*

**Regulatory/ongoing conditions**

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

12. No later than 5 months after the first occupation of the development, a comprehensive Travel Plan shall be submitted to the Local Planning Authority. This shall include the results of a full staff and resident travel survey which shall be carried out no later than 3 months post occupation and annually thereafter for a minimum of 10 years. All measures contained within the revised Travel Plan shall be implemented at all times.

*Reason: To promote sustainable travel in accordance with Policy T3 of the Local Plan.*

13. The approved landscaping scheme 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 is satisfactory, in accordance with Policies BE3 and BE5 of the Local Plan.*

14. The building identified as 'Building D' within the submitted ecological appraisal, shall not be demolished until a survey to establish the presence or absence of roosting bats has been submitted to and approved in writing by the Local Planning Authority. Any mitigation measures identified as necessary shall be carried out prior to the demolition.

*Reason: In the interests of nature conservation in accordance with Policy NE3 of the 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 27 November 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.

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: 13/02764/PFUL3 (PP-02996488)

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](http://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.