

REPORT OF THE CHIEF PLANNER

Nottingham Castle , Castle Road

1 SUMMARY

Application No: 16/01707/NFUL3 for planning permission

Application by: Purcell on behalf of Nottingham City Council

Proposal: Re-design and refurbishment of existing facilities including a free standing visitor centre, an extension to cover the kitchen courtyard and a play area in the Castle ditch.

The application is brought to Committee because it relates to a major development on a site where there are important design and heritage considerations.

To meet the Council's Performance Targets this application should be determined by 21st September 2016.

2 RECOMMENDATIONS

1. Subject to the prior receipt and approval of an Archaeological Mitigation Strategy endorsed by the City Council's Archaeologist, in consultation with Historic England, grant permission subject to the indicative conditions 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 the Chief Planner.

3 BACKGROUND

3.1 The application site comprises of Nottingham Castle, the Brewhouse Yard Cottages and the Waterworks Building on Castle Road. The site comprises 13 listed structures including the Grade 1 listed Ducal Palace which houses the Castle Museum and Art Gallery, the Gatehouse and the Outer Bailey walls and towers. The remaining assets on the site are Grade II listed The Castle site is also a Scheduled Ancient Monument and the site is located with the Castle Conservation Area.

3.2 The application has been submitted within the context of a City Council Heritage Lottery Fund (HLF) Round 2 submission for development funding related to the Castle. The aim of the project is to transform the visitor experience at Nottingham Castle and attract a greater number and more diverse range of visitors. It is necessary to obtain the required planning permission, listed building consent and scheduled monument consent in order to implement the proposals if the HLF Round 2 bid is successful.

3.3 The proposals have been the subject of public consultation in April 2016

undertaken by the applicant's primarily as part of the preparation of the HLF submission.

4 DETAILS OF THE PROPOSAL

4.1 Applications for planning permission (ref. 16/01707/NFUL3) and listed building consent (ref. 16/01708/LNLIS1) have been submitted. It should be noted that this report relates to the planning application only. Works impacting upon the Scheduled Ancient Monument also require Scheduled Monument Consent, which is administered by Historic England.

4.2 The full scope of the project into which the application for planning permission fits is set out below. Within this specific elements require planning permission and these are described in paras 4.4 – 4.12:

- Improved public realm around the Gatehouse;
- Development of a new visitor centre to provide ticket reception, shop, café and visitors facilities;
- Repairs and improved access to the gatehouse;
- Re-presentation of the Castle Grounds to provide improved views up to and around the Castle;
- Conservation and refurbishment works to the Ducal Palace;
- Creation of new gallery spaces;
- Extending the Ducal Palace to provide enhanced exhibition, learning and visitor facilities in and around the Kitchen Courtyard;
- Re-interpretation of existing gallery spaces within the Ducal Palace;
- Access and interpretation improvements to the caves with public access (Mortimer's Hole, King David's Dungeon and the Western Passage);
- New adventure play space to enhance the experience for families and children to be located in the ditch between the upper and outer bailey;
- Repairs to the Brewhouse Yard Cottages and the reinterpretation of the accessible area;
- Repairs to the Waterworks Building to enable a greater range of education and visitor activities;
- Review current management of the Scheduled Monument and listed structures on the site and to undertake conservation works to ensure a sustainable future of these significant assets.

4.3 The key elements of the proposals which require planning permission and are being considered in this report are:

- A new visitor centre;
- The creation of a new gallery at lower basement level, involving a new extension to cover the kitchen courtyard;
- A glazed screen to the colonnade on the west elevation of the Ducal Palace;
- An adventure playspace in the ditch between the Upper and Outer Bailey;
- Other minor external alterations.

Visitor centre

4.4 The visitor centre is proposed to be located within the Castle grounds adjacent to the Gatehouse, approximately parallel to the Outer Bailey curtain wall but set back

from this by approximately 5m. The area is currently crossed by a path which is flanked by shrubbery and trees. The building would have an internal floor area of 336 sq m. The purpose of the facility is to welcome visitors to the site and to provide access into the Castle grounds. It would house a ticket reception, shop, café and visitor facilities.

- 4.5 The visitor centre has been designed as a contemporary stand-alone pavilion. It is a single storey building which includes large areas of glazing and a mono pitched roof sloping up from the Castle walls. The proposed external material for the walls is to be oak timber cladding and the roof would be grey zinc cladding. The roof also incorporates two long rooflights. An external decked terrace is proposed adjacent to the building for the use of café customers.
- 4.6 It is also proposed to improve the landscape in the vicinity by replacing existing mismatched surface materials with stone slabs which would lead visitors from the Gatehouse to the visitor centre. All visitors will go through the centre and this is the point at which a ticket for the Castle would be obtained. The ticketing system necessitates a barrier to enclose the area between the Gatehouse entrance and the visitor centre. This is proposed to be a series of timber posts between which would be either a double rope or chain.
- 4.7 The siting of the visitor centre necessitates the removal of two Grade A plane trees which are currently part of a line of eleven plane trees.
- 4.8 The building has been designed to meet BREEM “very good” standard.

Creation of new gallery in kitchen courtyard

- 4.9 The Ducal Palace has been used as Nottingham’s museum and art gallery since the mid Victorian period. It is now proposed to improve the facilities within the Palace, in part, by creating an extension which would provide additional gallery space in the area which is currently an open, sunken courtyard on the north side of the Ducal Palace. This would create an additional 832 sqm of gallery floorspace. The main approach route for visitors to the Ducal Palace would then be by an existing tunnel which leads to the courtyard. The aspects of these works which require planning permission are the external changes which involve adding a flat roof to the courtyard and alterations to remove modern metal gates at the tunnel entrance, replacing these with a solid timber door. The proposed roof material is dark grey standing seam zinc.

Glazed screen around Ducal Palace colonnade

- 4.10 Part of the improvements and alterations to the Ducal Palace involve making changes to ensure improved circulation and a satisfactory environment on the ground floor. This specifically relates to creating a buffer between the external environment and the gallery spaces, particularly the proposed temporary gallery which will house visiting exhibitions. In order to do this it is proposed to add a glazed screen around the Victorian colonnade on the west elevation. This would be in the form of a single curved structural glass screen with glazed doors. The screen would sit behind the architectural detailing and the existing busts and pedestals which are currently within the colonnade would be re-located to the north stair within the Ducal Palace.

Adventure play area

- 4.11 An adventure play area is proposed in the Castle ditch between the inner and outer bailey. The design seeks to utilise retained trees to create platforms and look outs, with a series of timber structures located to the southern end of the ditch. A wide spanning lattice of rope nets would enable the play space to bridge the ditch, enabling visitors to pass beneath.

Other external alterations

- 4.12 A number of minor external changes to the Ducal Palace and The Gatehouse are also proposed. In the Ducal Palace it is proposed to replace two ground floor windows on the north elevation with louvres for air intake to a plant room; create two small openings for ducting below sill level at ground floor level on north elevation; replace doors in the south elevation with secure double glazed timber doors; remove of two windows and lower sills on the ground floor of the north and south returns of the west elevation, and install timber doors to match existing and to add ventilation dormers to the roof of the Ducal Palace. In the Gatehouse it is proposed to create a new door opening in the west side of the south bastion.
- 4.13 The application is supported by the following documents: Conservation Management Plan, Heritage Statement, Design and Access Statement, an Interim Statement of Archaeological Findings, Archaeological summary, Ecological Appraisal, Arboricultural report, Access report and Transport Assessment.

5 CONSULTATIONS AND OBSERVATIONS OF OTHER OFFICERS

It should be noted that the advice received from consultees make reference to elements of the proposals outside the scope of the planning application. For the purpose of this report the following summaries refer only to the aspects of the scheme requiring planning permission. Other matters raised by consultees will be addressed as part of the listed building consent application, if relevant, and/or fed back to the project team for their separate consideration.

Adjoining occupiers consulted:

The application has been advertised on site and in the press. The expiry date was 31.08.2016. An email has been received from the Nottingham Civic Society making the following comments:

Welcomes this application to bring forward a significant programme of repairs and sensitive developments to secure the future of Nottingham Castle, a Grade I listed building of outstanding national importance. The NCS comments are itemised by feature below.

Ducal Palace: Glazed screen to the colonnade is recognised as a necessary feature to improve the visitor circulation within the building and to secure an appropriate environment for the Visiting Collections and is supported. Placing the glazing well behind the columns allows them to continue to be read as coherent architectural details, with the elevation behind still visible through the glass screen. Support the principle of creating a new gallery in the Kitchen Courtyard, accessed through the tunnel.

Visitor centre: Position and architecture of the proposed visitor centre is recognised to be a compromise between not damaging buried archaeological deposits or removing significant mature trees whilst maintaining clear sight lines from the Gatehouse arrival point and the Ducal Place. The design and materials for the

building will have the least negative impact, and would allow a pleasant environment in which visitors can orientate themselves, enjoy the castle environment and make purchases before proceeding to the galleries / exhibitions. Oak cladding, glass walls and zinc roof should help the building settle into its sylvan surroundings, giving pleasing reflections without making itself the centre of attention within the Castle landscape. An unfortunate feature of the scheme is the need to marshal visitors into the visitor centre to purchase tickets etc, and as a consequence, the paraphernalia of visitor control - posts and fences, can interfere with the visual experience of arrival. However, making these structures appear temporary, as is now depicted in the latest scheme images, overcomes reservations to some extent.

Adventure play area: Proposals for adventure play in the existing rock-cut ditch could be exciting and achieved without disturbance to the setting of the Ducal Palace providing the finishes are timber and muted dark colours as depicted in supporting material, which would recede into the wooded bank of the steep flanks of the ditch at this point. The suggestion of thickening the screen hedges at this point is supported to minimise distracting activity in long views from the Gatehouse towards the Ducal Palace.

Additional consultation letters sent to:

Historic England: *Summary:* supportive of Nottingham Castle's role as a cultural destination, community asset and landmark within the city and recognise its development has genuine strategic importance for the City Council in its' future aspirations and direction. Support the City Council's vision for the Castle and believe a well-articulated justification has been submitted for the various parts of the scheme. Recommend continuing advice is sought from the Council's Conservation Officer and Archaeological Adviser. Advise that a parallel application for Scheduled Monument Consent will be required for all works within the scheduled area of the Castle excepting the structure of the Ducal Palace.

Visitor Centre: Have consistently advised that a less sensitive location for a new centre would lie outside of the grounds below the castle walls. However a compelling case has been made for siting the new build within the castle grounds itself and in this context, the proposed location is considered to be the least sensitive in terms of archaeology and visual impact. Recognise the challenge of designing a building which is functional and visible whilst at the same time, subservient and unimposing on the site. Consider the design response has met this challenge and the materials proposed using oak cladding, zinc and glazing will create a lightweight pavilion structure which it is hoped, will sit harmoniously within the grounds and not impinge on the appreciation of the gatehouse nor the highly significant inter-relationship between the gatehouse and ducal palace. The success of the new build will rest in the quality of materials and detailing. Strongly recommend this is not ultimately compromised by any budget constraint. Have no objection to the use of temporary barriers which consider will give flexibility and not impact greatly on the visual and physical relationship between the Gatehouse and Ducal Palace.

Adventure play area: The proposed new woodland walk and play trail within the castle ditch is particularly sensitive. Can see the public benefit in locating play equipment within the castle area and how this will enliven the space for children, but robust justification is required with full details. It is encouraging that the equipment will be bespoke, using natural materials, and impact will be minimised by containing play within nets which will not require a proliferation of signage and additional barriers. At pre application stage considered a number of visualisations and on the basis of this information, the play equipment does not appear to detract

from views between the Palace and Gatehouse which is of critical importance. Understanding the exact location of the structures will be determined by the results of the archaeological investigations and therefore if minded to approve, recommend this should be appropriately conditioned. Scheduled Ancient Monument Consent will be required. Note the proposed installation of a 2.1m security fence at the southern end of the castle ditch and the insertion of handrails to the Grade II listed steps to the east terrace. Recommend City Council's Conservation Officer carefully considers the detail of both these elements and if minded to approve, recommend this is conditioned to allow for further consideration of detail and options.

Courtyard extension to Ducal Palace: Believe there is a compelling case for the proposed extension, which has been sensitively detailed.

Colonnade glazed screen to Ducal Palace: The insertion of a glazed screen for the colonnade will change the original function and appreciation of this 19C architectural feature, which will result in a degree of harm to significance. The justification for this is compelling and a bespoke design solution has been produced which allows for the architectural form and proportion of the colonnade to be read. Strongly recommend this detail is not compromised by financial constraint.

Archaeology: Submitted material address issues raised in pre-application discussions in terms of the design and evaluation work. Anticipate reports on this work to be ready over the coming weeks together with Archaeological Mitigation Strategy which is being prepared by the applicant's consultants. The archaeological mitigation strategy should be agreed with your archaeological advisor (with the benefit of HE comments on a draft) before the City Council is in a position to determine the application in line with the NPPF, so the Council are in a position to weigh the heritage and other public benefits alongside mitigated archaeological impacts.

Conservation Officer: No objection. The site is of very high heritage significance, incorporating a Scheduled Monument, grade I listed buildings of international importance, numerous grade II listed structures and the focal point for the Castle Conservation Area. The aims of the project are strongly supported and the extent of the work has been carefully considered to limit the impact on the existing historic character and fabric of the site, while greatly improving the visitor facilities. The quality of the application documents is very high and provides robust justifications for virtually all aspects of the project. The scheme is therefore considered to accord with local and national heritage policies. While the vast majority of the proposed works are presented in a fine level of detail, there are a number of specific issues that will require further clarification and aspects which require further detailed information that should be secured by condition.

City Archaeologist: No objection. Due to the site consisting of two Scheduled Monuments, there is a requirement to undertake appropriate archaeological investigation and recording of all works that impact upon the monuments. Concludes that the proposals are generally supported provided that appropriate archaeological mitigation work takes place. Advises that an Archaeological Mitigation Strategy should be produced, which will form a strategy detailing the required approach for archaeological work associated with the proposed development. Individual elements of archaeological work will then require the production of detailed Written Schemes of Investigation which should be secured by condition.

Biodiversity Officer: Bat surveys indicate that roosting bats are likely to be absent from the buildings and trees affected by the development. However, given that the trees and buildings have features of interest these will require re-checking for

roosting bats prior to felling, demolition or other such impactful works in line with the precautionary approach outlined in the Ecological Appraisal. Regrets the loss of open space to the visitor centre building as there is little open space in the City Centre and little is proposed by way of ecological enhancement measures as currently proposed. Maximising planting of wildlife-beneficial species in the landscaping and undertaking other such enhancement measures as recommended with the Ecological Appraisal should be carried out. Suggests a sedum roof to the new Visitor Centre would help soften the appearance and provide additional habitat for birds and invertebrates.

Tree Officer: The siting of the visitor centre results in the loss of T7 and T8, both category A trees, comprising the first two Planes from the line of eleven Planes planted along the northern perimeter of the Castle grounds and this is the inevitable consequence of a decision to place the proposed visitor centre within the gardens. The landscape proposals plan shows two further Plane trees (T9 and T19) to be retained but notes the drawing states that retention will be "subject to further detailed investigation"; a clear commitment that there will be no additional felling should be obtained. Conditions are recommended requiring the submission of an Arboricultural Method Statement and replacement tree planting within the proximity of the Castle at a ratio of 2:1.

Environmental Health and Safer Places: No comments.

Highways: No objection. The site is located within the City Centre where there are a high level of transport and parking options available for visitors by car, tram, train, foot, bike or coach. The surrounding public highway is already highly controlled. Recommend conditions requiring the submission of a Construction Method Statement.

Lead Local Flood Authority: No objection. Need to advise applicant that there should be no increase in surface water being discharged to the "main sewer" relative to the existing situation.

6 RELEVANT POLICIES AND GUIDANCE

National Planning Policy Framework:

- 6.1 The NPPF emphasises the important role that planning plays in delivering sustainable development. Paragraph 7 explains that key to this is building a strong, responsive and competitive economy; supporting strong, vibrant and healthy communities by creating high quality built environments with accessible local services that reflect the communities needs and which supports its social wellbeing protecting and enhancing the natural, built and historic environment.
- 6.2 Paragraph 14 states that there is a presumption in favour of sustainable development and that development should be approved, without delay, where it accords with the development plan.
- 6.3 Paragraph 17 sets out the core planning principles, many of which apply to the proposed development. They include, amongst others, to secure high quality design; support the transition to a low carbon future, encouraging the reuse of existing resources and the use of renewable resources; contribute to reducing pollution; and managing patterns of growth to the make the fullest use of public

transport, walking and cycling and to focus significant development in locations which are or can be made sustainable.

- 6.4 Paragraph 56 attaches great importance to the design of the built environment and states that good design is a key aspect of sustainable development, indivisible from good planning.
- 6.5 Paragraph 61 states that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.
- 6.6 Paragraphs 128 to 134 consider the requirement to conserve and enhance the historic environment when determining planning applications. It is advised the applicant should describe the significance of any heritage assets affected, including any contribution made by their setting. Local planning authorities are required to identify and assess the particular significance of any heritage asset that may be affected by a proposal. This assessment should take into account the need to avoid or minimise conflict between the heritage assets conservation and any aspect of the proposal. Paragraph 141 states that developers should be required to record and advance understanding of the significance of any heritage assets to be lost in a manner proportionate to their importance and the impact, and to make this evidence publicly accessible.

Nottingham Local Plan (November 2005)

ST1: Sustainable development

BE10: Development within the curtilage, or affecting the setting, of a listed building

BE12: Development in Conservation Areas

BE14 Historic Parks And Gardens

BE15 Archaeology- Monuments and Caves

BE16 Archaeological constraints

BE17 - Protection of Archaeological Sites

NE3: Conservation of species

NE5: Trees

T3: Car, cycles and servicing parking

Aligned Core Strategy (2014)

Policy A: Presumption in Favour of Sustainable Development

Policy 1: Climate Change

Policy 5: Nottingham City Centre

Policy 10: Design and Enhancing Local Identity

Policy 11: The Historic Environment

Policy 13: Culture, Tourism and Sport

Policy 14: Managing Travel Demand

Policy 17: Biodiversity

7 APPRAISAL OF PROPOSED DEVELOPMENT

Main Issues

- (i) Principle of the development;
 - (ii) Design and impact upon the character and appearance of the Castle Conservation Area and the setting of listed buildings;
- (i) Principle of the development (Nottingham Local Plan policy ST1 and Aligned Core Strategy policies A, 5 and 13)

7.1 Nottingham Castle is already a prime visitor destination, a significant heritage site and a landmark located within the City Centre which the overall proposals seek to build upon. The vision of the Castle project for which HLF support is being sought is to “deliver the step change required to establish Nottingham Castle as a world class heritage site...to celebrate Nottingham Castle’s unique and diverse 1,000 year heritage, encompassing the group of heritage assets around the Castle including the caves within the Castle Rock and Brewhouse Yard in a seamless, combined and cohesive visitor offer.”

7.2 The proposals as a whole represent a comprehensive package aimed at delivering this vision. The Castle is located within the City Centre where ACS policy 13 anticipates cultural and tourism facilities of national or regional importance should be located. ACS policy 5 places emphasis on promoting the City Centre as the region’s principal shopping, leisure and cultural destination and sets out the importance of preserving and enhancing the historic, cultural and high quality built environment has in enhancing the City Centre. In this policy context the Castle proposals would significantly improve the tourism and visitor offer, would be important to the on-going economic development of the City, contribute to the quality of life for citizens and would help to preserve and enhance the Grade I Castle, which is of national importance. It is therefore considered that the Castle proposals accord with Local Plan policy ST1 and Aligned Core Strategy policies A, 5 and 13.

- (ii) Design, including impact upon the character and appearance of the Castle Conservation Area and the setting of listed buildings (Local Plan policies BE10, BE12, BE14 and NE5 and Aligned Core Strategy policies 10 and 11)

7.3 The works proposed which require planning permission comprise five distinct elements and these are individually considered below.

Visitor centre

- 7.4 The visitor centre is a significant new building within the Castle grounds which is required to enhance the facilities for visitors to the Castle. There is a shortage of space in the Ducal Palace and it is not possible to provide this facility here. The creation of a new visitor centre would release space in the Ducal Palace for additional displays whilst also providing more cafe space to meet the anticipated increase in visitors. The visitor centre would also provide a place for orientation and interpretation when visitors first arrive.
- 7.5 The proposed siting and design of the visitor centre have been derived from a rigorous iterative process which has had to take into account a number of significant site constraints. These constraints include retaining a clear view between the Gatehouse and Ducal Palace; that the visitor centre should be set back from the Curtain Wall and also from the Gatehouse, and not be attached to it; the site levels; the need to maintain the only vehicular access to the site to the north-west of the Gatehouse; impact upon archaeology and; the retention of an avenue of trees to the bandstand and the trees along the boundary wall.
- 7.6 It is considered within this challenging context of siting the proposal has taken into account the key constraints. The one exception to this is the loss of Grade A trees T7 and T8. The options for retaining these have been fully explored during design development and are documented in detail in the Design and Access Statement. In summary, to enable the retention of the trees would necessitate both significantly reducing the size of the building, which would compromise the business plan requirements, and it would not enable the creation of a fully accessible building on a single level. In this case it is considered that all realistic options for the retention of trees T7 and T8 have been examined but that taking into account the significant site constraints and requirements for the building, that there is not an alternative which would enable their retention. By way of mitigation it is proposed to include a planning condition requiring replacement tree planting within the Castle grounds on the basis of a ratio of 2:1.
- 7.7 The building is designed as a contemporary free standing pavilion structure which will distinguish it as a new, yet sympathetic feature within the site. The choice of oak cladding, glazing and a zinc roof will help the building to sit sympathetically within the Castle grounds. Historic England have identified that the success of the building will rest in the quality of materials and detailing, which is agreed. To ensure this, conditions are recommended requiring large scale details of the building and samples of the materials.
- 7.8 The Civic Society have identified the impact of the barrier from the Gatehouse to the visitor centre which is required to ensure visitors pass through the centre to obtain tickets before accessing the grounds. The timber post and rope/chain proposed will have an impact upon the when entering through the Gatehouse but the design of this barrier is low key and the impact is considered to be acceptable.

Creation of new gallery in kitchen courtyard

- 7.9 The creation of the new gallery involves the installation of a new roof over the entire courtyard area. This is proposed to be a zinc roof which will be located such that it remains below the existing parapet wall. The information submitted with the application justifies the need for this work and the enclosure of this space will enable the creation of much needed additional gallery space. The design and

choice of materials will ensure that the visual impact of the roof is minimised and that its impact upon the setting of the Ducal Palace is acceptable.

Glazed screen around Ducal Palace colonnade

- 7.10 The installation of a glazed screen will create a sheltered circulation space behind the colonnade of the west elevation. The main benefit of this is that it would create an environmental buffer between the external environment and the gallery spaces, particularly the proposed temporary gallery. Historic England recognise that the insertion of the glazed screen will change the original function and appreciation of this 19C architectural feature and will result in a degree of harm to significance. However, they also consider that this is justified by the proposal which is a bespoke design solution allowing for the architectural form and proportion of the colonnade to be read with the screen as unobtrusive as possible.

Adventure play area

- 7.11 The existing small play area located in the middle bailey is to be removed and replaced with an adventure play area in the ditch area between the Upper Bailey and the Outer Bailey. The proposal is for timber and rope/net structures forming high level walkways. The structures would sit below the level of the East Terrace to minimise the impact upon views from this vantage point, and a hedge is proposed along the edge of the outer bailey which would help to minimise any visual impact in views towards the Ducal Palace from the Gatehouse. The final design and exact siting of the structures for the play area will be influenced by the outcome of archaeological investigation, which itself will require Scheduled Monument Consent. A condition is recommended requiring the submission of the final details once the archaeological investigation has been undertaken.

Other external alterations

- 7.12 The other external alterations proposed to the Gatehouse and Ducal Palace are less significant works which will also require listed building consent. It is considered that each has been adequately justified and a number of conditions are proposed ensure that the details of these works are satisfactory.
- 7.13 *Conclusion:* It is considered that the proposals offer a significant opportunity to improve the attractiveness of the Castle as a visitor attraction whilst limiting their impact on the historic character and fabric of the site. The submitted documentation provides robust justification for the works under consideration which are also broadly supported by Historic England. The scheme is considered to accord with the relevant paragraphs of the National Planning Policy Framework, Local Plan policies BE10, BE12, BE14 and NE5 and Aligned Core Strategy policies 10 and 11.

OTHER MATTERS (Local Plan policies BE15, BE16, BE17 and T3 and ACS policies 10 and 11)

- 7.14 **Archaeology:** The Castle grounds and the Gatehouse are Scheduled Ancient Monuments and as such works which require the breaking of ground will require Scheduled Monument Consent, a process which is administered by Historic England. However, impact upon the archaeological interest of a site is also a material planning consideration. As set out in the comments from both Historic England and the Acting City Archaeologist, an Archaeological Mitigation Strategy is required prior to determination of the planning application and this in the process of

preparation. A condition is also recommended requiring the submission of an archaeological Written Scheme of Investigation, which will set out a comprehensive strategy for the excavation and post excavation work.

- 7.15 **Impact upon the amenity of nearby occupiers:** The proposals are contained within the existing Castle grounds and as such would not have any direct physical impact upon the occupiers of nearby properties. The proposals are intended to enhance the attractiveness of the Castle as a destination for visitors and as such it is anticipated that there will be an increase in visitor numbers. However, the Castle is an established visitor attraction located within the City Centre and it is not therefore considered that the proposals would detrimentally impact upon the amenity of nearby occupiers.
- 7.16 **Transport:** Highways have raised no concerns about the proposals as the site is located within the City Centre where there is a high level of transport and parking options available to visitors. As recommended, a condition requiring the submission of a Construction method Statement is included.

Local Plan policies T3 and ACS policy 10 are therefore satisfied.

8 SUSTAINABILITY / BIODIVERSITY (Local Plan policy NE3 and Aligned Core Strategy policies 1 and 17)

- 8.1 **Sustainability:** The visitor centre has been designed to achieve a BREAM “very good” rating. Specific measures for the visitor centre are based upon design principles which will allow natural light and ventilation, the proposed use of energy efficient equipment and energy monitoring, (which have been selected in line with the BRE Green Guide to Specification) and reducing water consumption.
- 8.2 **Biodiversity:** The comments made by the Biodiversity Officer with regard to bats are noted and an informative will be included advising that before works commence, buildings and trees should be re-checked. The Ecological Appraisal submitted with the application suggests that mitigation for the loss of nesting bird habitat as the result of tree removal could be in the form of a range of bird boxes. A sedum roof for the visitor centre, as suggested by the Biodiversity Officer, has not proved possible but as part of the wider Castle project, other ecological enhancements are proposed to facilitate new habitats such as species rich wildflower grassland, rich woodland understorey, hedgerows and new shrub borders.

Local Plan policy NE3 and Aligned Core Strategy policies 1 and 17 are therefore satisfied.

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

Will generally improve accessibility within the Castle grounds and provide accessible buildings.

12 RISK MANAGEMENT ISSUES

None.

13 STRATEGIC PRIORITIES

Making Nottingham a Great City. Addresses one of the key themes in relation to Leisure and Culture which is to rejuvenate the Castle Quarter as a major national heritage attraction.

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: 16/01707/NFUL3 - link to online case file:

<http://publicaccess.nottinghamcity.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OAYM4ZLYJPL00>

Letter dated 24.08.2016 from Historic England

Letter dated 24.08.2016 from Acting City Archaeologist

Email dated 23.08.2016 from Biodiversity Officer

Email dated 23.08.2016 from Tree Officer

Email dated 05.08.2016 from Drainage

Comments dated 25.08.2016 from Highways

Comments dated 31.08.2016 from Nottingham Civic Society

Comments dated 31.08.2016 from Conservation Officer

Email dated 05.09.2016 from Environmental Health and Safer Places

17 Published documents referred to in compiling this report

National Planning Policy Framework

Nottingham Local Plan (November 2005)

Aligned Core Strategy (2014)

Contact Officer:

Mrs Janet Keble (Tues, Wed, Thurs), Case Officer, Development Management.

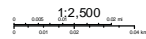
Email: janet.keble@nottinghamcity.gov.uk. Telephone: 0115 8764056

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Key



City Boundary

Description

No map description



My Ref: 16/01707/NFUL3 (PP-05343858)
Your Ref:
Contact: Mrs Janet Keble (Tues,Wed,Thurs)
Email: development.management@nottinghamcity.gov.uk



**Nottingham
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Date of decision:

**TOWN AND COUNTRY GENERAL REGULATIONS 1992
APPLICATION FOR PLANNING PERMISSION**

Application No: 16/01707/NFUL3 (PP-05343858)
Application by: Nottingham City Council
Location: Nottingham Castle , Castle Road, Nottingham
Proposal: Re-design and refurbishment of existing facilities including a free standing visitor centre, an extension to cover the kitchen courtyard and a play area in the Castle ditch.

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)



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2. No development involving the breaking of ground for the visitor centre, the north courtyard works and the adventure play area shall take place, until an archaeological Written Scheme of Investigation, covering the area where it is proposed to excavate below existing ground or basement levels, has first been submitted to and approved in writing by the Local Planning Authority. The Written Scheme of Investigation and works shall include:
- a) an archaeological evaluation of the site;
 - b) arrangements, supported by the conclusions of an archaeological evaluation, for the excavation of the affected areas, and the implementation of a watching brief during the course of the development;
 - c) arrangements for the recording of any finds made during the investigation and for the preparation of a final report;
 - d) arrangements for the deposition of the records of finds, and any significant finds, capable of removal from the site, in a registered museum; and
 - e) arrangements for the publication of a summary of the final report in an appropriate journal.

The archaeological investigation and works approved under this condition shall be carried out in accordance with the Written Scheme of Investigation.

Reason: to ensure that any archaeological remains of significance are safeguarded in accordance with Policies BE15, BE16 and BE17 of the Local Plan and Policy 11 of the Aligned Core Strategy.

3. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Approved statement shall be adhered to throughout the construction period. The statement shall provide for:
- a) The parking of vehicles of site operatives and visitors.
 - b) Loading and unloading of plant and materials.
 - c) Storage of plant and materials used in constructing and development.
 - d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
 - e) Wheel washing facilities.
 - f) Measures to control the emission of dust and dirt during construction.
 - g) A scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: To avoid prejudice to traffic conditions within the vicinity of the site and to safeguard the amenities of neighbouring residents in accordance Aligned Core Strategies Policy 10 and Local Plan Policy T3.

4. 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.

5. 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.

6. The visitor centre shall not be commenced until the following have been submitted to and approved in writing by the Local Planning Authority:

- (a) Large scale elevations and sections at a scale of 1:50 or greater;
- (b) Details of the external materials, including a sample of the timber cladding;
- (c) Details of the terrace area, including the means of enclosure and the decking;
- (d) Details of the stone paving and bonded gravel to be laid around the visitor centre;
- (e) Details of the barrier between the Gatehouse and the visitor centre;
- (f) Details of the railing alongside the ramp to the visitor centre from the Gatehouse.

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

Reason: To ensure that the appearance of the development is satisfactory, in the interests of the visual amenity of the area, the character or appearance of the Castle Conservation Areas and the setting of nearby listed buildings in accordance with Policies BE10 and BE12 of the Local Plan and Policies 10 and 11 of the Aligned Core Strategy.

7. The roof of the kitchen courtyard shall not be commenced until details of the roofing material and the timber door at the entrance to the tunnel have been submitted to and approved in writing by the Local Planning Authority:

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

Reason: To ensure that the appearance of the development is satisfactory, in the interests of the visual amenity of the area, the character or appearance of the Castle Conservation Areas and the setting of nearby listed buildings in accordance with Policies BE10 and BE12 of the Local Plan and Policies 10 and 11 of the Aligned Core Strategy.

8. The glazing of the Ducal Palace colonnade shall not be commenced until the following have been submitted to and approved in writing by the Local Planning Authority:

(a) Large scale details of the doors and their operating mechanism to be located within the glazing;

(b) Details of any manifestations and/or guard rails to be used on the colonnade glazing;

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

Reason: To ensure that the appearance of the development is satisfactory, in the interests of the visual amenity of the area, the character or appearance of the Castle Conservation Areas and the setting of nearby listed buildings in accordance with Policies BE10 and BE12 of the Local Plan and Policies 10 and 11 of the Aligned Core Strategy.

9. The adventure play area shall not be commenced until the following have been submitted to and approved in writing by the Local Planning Authority:

(a) Final details of the structures, including their siting, appearance and materials (following the archaeological investigation which may influence the layout);

(b) The enclosure proposed at the southern end of the play area.

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

Reason: To ensure that the appearance of the development is satisfactory, in the interests of the visual amenity of the area, the character or appearance of the Castle Conservation Areas and the setting of nearby listed buildings in accordance with Policies BE10 and BE12 of the Local Plan and Policies 10 and 11 of the Aligned Core Strategy.

10. The following works shall not be commenced until the following have been submitted to and approved in writing by the Local Planning Authority:

(a) Large scale details of the ventilation dormers to the Ducal Palace roof;

(b) Large scale sections and elevations of the new double glazed doors to be installed in the south elevation of the Ducal Palace;

(c) Large scale details of the proposed louvres to be installed to the two window openings on the north elevation of the Ducal Palace;

(d) Details of the cast iron vent covers to be used below the windows of the kitchen wing;

(e) Details of the new stone slates to be used on the Gatehouse and Ducal Palace roofs.

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

Reason: To ensure that the appearance of the development is satisfactory, in the interests of the visual amenity of the area, the character or appearance of the Castle Conservation Areas and the setting of nearby listed buildings in accordance with Policies BE10 and BE12 of the Local Plan and Policies 10 and 11 of the Aligned Core Strategy.



11. The visitor centre shall not be occupied until a scheme for the inclusion of bird boxes within the development has been submitted to and agreed in writing with the Local Planning Authority. The scheme shall include details of the type, number and position of the bird boxes.

The development shall be carried out in accordance with the approved scheme.

Reason: To mitigate for the loss of trees affected by the visitor centre and in the interests of nature conservation in accordance with Policy NE3 of the Local Plan and Policy 17 of the Aligned Core Strategy.

Pre-occupation conditions

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

12. The visitor centre shall not be occupied until a tree planting scheme has been submitted to and approved in writing by the Local Planning Authority.
- (a) The planting scheme shall be on the basis of two trees to replace each one to be removed and include details of the type, height, species and location of all new trees, and the approved landscaping scheme shall be carried out in the first planting and seeding seasons following its occupation;
- (b) any trees which die, are removed or become seriously damaged or diseased within five years following the occupation of the visitor centre 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; and
- (c) no part of the site included in the landscaping scheme shall be used for any other purpose without the prior written consent of the Local Planning Authority.

Reason: To ensure the loss of the trees as a result of the siting of the visitor centre is adequately mitigated 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)

13. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiry of 3 years from the date of the occupation of the building for its permitted use.
- (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (2010) Recommendations for tree work.
- (b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority. If any retained tree is topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority, then remedial pruning or replacement planting as appropriate shall be undertaken as specified in writing by the local planning authority

Reason: To ensure that existing trees are safeguarded during construction in accordance with Policy NE5 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 July 2016.

Reason: To determine the scope of this permission.

Informatives

1. 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.

2. 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.

3. 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

4. 1. It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring. If the development works will have any impact on the Public Highway, please contact Liz Hiskens, Team Leader, Highways Network Management on 0115 87865293, or by email at highway.management@nottinghamcity.gov.uk. All associated costs will be the responsibility of the Developer. The Highways Network Management team at Loxley House must be notified regarding when the works will be carried out as disturbance to the highway will be occurring and licences may be required. Please contact them on 0115 8765293. All costs shall be borne by the applicant.

5. The Lead Local Flood Authority has advised that there should be no increase in surface water being discharged to the main sewer relative to the existing.

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.

