

REPORT OF HEAD OF DEVELOPMENT MANAGEMENT AND REGENERATION

Land to the South of Nottingham Business Park, Woodhouse Way

1 SUMMARY

Application No: 14/00335/PRES4
Application by: Barratt Homes North Midlands
Proposal: Residential development comprising 290 dwellings and associated works (reserved matters for application reference 13/01703/POUT).

This application is brought to Planning Committee as this is a major application on a prominent site where there are complex design considerations.

To meet the Council's Performance Targets this application should be determined by 16 May 2014.

2 RECOMMENDATIONS

GRANT PLANNING PERMISSION for the reasons set out in the report subject to the indicative 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 of the planning permission to be delegated to the Head of Development Management and Regeneration.

3 BACKGROUND

Site

- 3.1 The site comprises 13.5ha of open grassland to the south of Lawrence Drive and the Nottingham Business Park, on the west side of Woodhouse Way (A6002). The land forms part of the wider area consented as a business park but remains undeveloped. The site is largely featureless, characterised by its openness with the exception of a line of trees leading to a copse, which is located outside the application site but within the applicant's ownership. Vehicular access to the site is achieved via Lawrence Drive, with the existing roundabout that serves the business park, providing an access 'stub' to the land as part of the consented business park scheme. The site is relatively flat with a gentle downward slope from west to east, with the lowest point of the site being in the south east corner adjacent to Woodhouse Way. The level difference between the site and Woodhouse Way is more pronounced, with the site being on a higher level than the road to the east. There are sixteen mineshafts either within the application site or on nearby surrounding land.
- 3.2 Surrounding the site is the Nottingham Business Park to the north which comprises 19,956m² of Class B1(a) Office development , a hotel and additional allocated but

undeveloped land, all of which are accessed via Lawrence Drive. To the south of the site is Stonepit Plantation, which is a Site of Importance for Nature Conservation (SINC) and beyond this open grassland and Strelley Village. On the east side of Woodhouse Way is a large residential estate and Strelley recreation ground, which sits to the north of the junction of the A6002 and Strelley Road. There is a public footpath which runs through the existing Business Park, across Lawrence Drive and connects to Woodhouse Way, running to the west of an existing swale which is situated to the south of the Woodhouse Way/Lawrence Drive roundabout. To the immediate west is open countryside where the land rises in height away from the site and beyond this is the M1 motorway. Access to the motorway is less than 2km from the site via Junction 26. The land on the west side of Woodhouse Way but excluding the business park and vast majority of the application site is within the Nottinghamshire Green Belt. The only part of the application site within the Green Belt is the south east corner, where the balancing pond is proposed. The High Speed 2 rail route (HS2) is proposed to run to the west of the application site and converge onto the existing business park to the north.

Relevant Planning History

- 3.3 In 2000 planning permission was granted for 79,000m² (application reference: 97/02441/POUT) of employment floor space (B1 offices only) including on land that forms the application site. To date 19,956m² of office development has been built on the northern part of the site.
- 3.4 In October 2013 outline planning permission (reference: 13/01703/POUT) was granted for up to 300 dwellings, together with open space, vehicular accesses and service infrastructure. All matters were reserved on this outline application with the exception of access, which was established with a signalised junction onto Woodhouse Way and two access points off Lawrence Drive. The permission was granted on the basis that the proposal would bring forward a mix of 2-5 bedroom properties, including 20% affordable housing. The planning permission is subject to numerous planning conditions and a Section 106 Agreement which in addition to securing affordable housing also provides appropriate contributions to education provision, public transport and sustainable transport measures, provision of off-site open space improvements, on-site management of open space and a commitment to local employment and training.

4 DETAILS OF THE PROPOSAL

- 4.1 The application seeks reserved matters for the outline development approved in October 2013. The reserved matters in question are (layout, appearance, scale and landscaping for 290 dwellings along with associated details. The proposed layout is informed by the indicative masterplan approved at outline stage and the 290 dwellings proposed comprise as follows:

2 bedroom: 41 dwellings (14%)
3 bedroom: 138 dwellings (48%)
4 bedroom: 71 dwellings (24%)
5 bedroom: 40 dwellings (14%)

- 4.2 The dwellings are predominately two storey with some two and a half storey houses and twelve bungalows, which form part of the affordable housing mix.

- 4.3 The layout has evolved the principles of the masterplan and proposes character areas within the development that are defined by a street hierarchy and a range of architectural styles. There are nine types of character areas ranging from The Boulevard, which forms the main vehicular route (including public transport) through the site, to rural lanes on the outskirts of the built development to west and south and 'Mews' style streets within the denser parts of the layout.
- 4.4 The proposed architecture can be broadly classified into three categories. There are traditional properties with steep roof pitches and classic fenestration; traditional proportioned properties with contemporary features, primarily in the form of different materials and entrance porches; and contemporary dwellings with mono-pitched roofs, which are concentrated at the north extremity of the site fronting Lawrence Drive.
- 4.5 There is an area of open space (approx 75m x 25m) identified as 'Middle Green' on the layout which forms the centre of the site and frames this part of the development. From this point the green infrastructure of the site expands, with a tree lined avenue proposed west to east and to the south west a gradually widening of an extensive grass verge containing maturing trees, opening out to the proposed natural play area. Beyond this and outside of the application site will be open space which will be landscaped and managed in a manner to reflect its open countryside character. At the south of the site, it is proposed to located a surface water attenuation pond.

5 CONSULTATIONS AND OBSERVATIONS OF OTHER OFFICERS

Adjoining occupiers consulted:

- 5.1 The application has been advertised by a site notice and press advert. In addition the below neighbouring/local properties have been directly consulted:

2-10 (evens only) Erith Close
16-48 (evens only) Edge Way
1-11 (odds only), 15-17 Lancaster Way
206-226 (evens only) Cranwell Road
21-49 (odds only) York Drive
1-8 Orchard Place
2, 2a and Unit F Horizons Place, Mellors Way
Units G1-G7 Ash Tree Court, Mellors Way
Units H1-H7 Ash Tree Court, Mellors Way
6&8 Lawrence Drive
The Belfry Hotel
53 Gunnersbury Way

- 5.2 Two letters of objection have been received from local residents on the grounds that the development will create additional volumes of traffic on the already busy A6002 and the proposed position of HS2 could compromise the desirability of the new houses. In addition a further representation has been received commenting that the development will have a number of impacts in addition to those raised by the objectors. These include pollution in the form of CO₂, noise and light, the impact on schools and whether residents will choose the closest schools to the site, and the impact on wildlife including trees and hedges. The comments conclude that all these matters should be taken into account to ensure a high environmental and social standard of development.

- 5.3 One letter of support from Barratt Homes, as an occupier of one of the units on the Business Park (but whom is also the applicant) has been received. The letter conveys that the scheme will make a significant contribution to the City's housing delivery in accordance with the requirements of the NPPF and will provide a mix of housing types including affordable and open market.

Additional consultation letters sent to:

- 5.4 **Highways & Drainage:** No objections but raises questions in regard to the segregation of the existing public right of way which runs adjacent to Woodhouse Way and the eastern boundary of the site, some minor detailed layout issues and requests that the bus stops and drainage basin are shown on the main layout drawing.
- 5.5 **Heritage and Urban Design:** The proposed scheme has been designed around existing natural features, with a logical hierarchy of street pattern reflecting the topography. A large number of additional trees will be planted to develop boulevards and build-outs creating attractive calmed streets. A variety of appropriate boundary solutions together with off street parking will help produce a high quality, uncluttered street scene. Buildings and windows addressing the street will add to the visual amenity as well as contributing to a safer neighbourhood. Overall the house designs and materials add variety to the scheme, which is fully supported.
- 5.6 **Environment Agency:** Welcomes the inclusion of the above ground drainage attenuation facility and advises that detailed surface water matters will be considered under condition 7 of the outline planning permission.
- 5.7 **Nottinghamshire Wildlife Trust:** The applicant has engaged in meetings with the Trust regarding access to Stonepit Plantation. They make suggestions in regard to landscaping and biodiversity enhancement through the detailed design of the attenuation pond.
- 5.8 **Biodiversity and Green Space Officer:** Advises that access to Stonepit Plantation should be arranged with Nottinghamshire Wildlife Trust, advises that native plant choices are supported, at least one surfaced route should be provided on the outer open space and seeks clarification on design and access to both the existing drainage pond (to the east of the site adjacent to Woodhouse Way) and the proposed drainage pond to the south of the site.
- 5.9 **Noise and Pollution Control:** No objection but recommends a remediation strategy condition to deal with any potential ground and groundwater contamination.
- 5.10 **Tree Officer:** Satisfied that the application reflects the considerable pre-application discussion on this site. The Arboricultural Method Statement and schedule of landscape maintenance will be critical and it is noted that these matters are conditions of the outline planning permission.
- 5.11 **NCC Housing:** The mix of proposed market housing, comprising property sizes ranging from 2-5 bedrooms is acceptable. The provision of 58 affordable houses equates to the policy requirement of 20% of the total number of dwellings. The focus on 2 and 3 bedroom properties and the inclusion of bungalow units is supported and corresponds well to the needs of households requiring affordable

housing. The composition of the affordable housing offer as outlined in the Section 106 agreement (13/1301703/POUT), namely 75% social rented; 25% shared ownership and shared equity – is also acceptable, with the variety offered being welcome and again reflecting the needs of households requiring affordable housing.

- 5.12 **Police Architectural Liaison Officer:** The layout, orientation, active edges, road and footpath layout, private rear gardens and either on plot or on street vehicle parking appears fairly traditional and meets with the Secured by Design criteria. The PALO is pleased to see that the open space areas are overlooked by homes giving a good level of natural surveillance, which is necessary to help reduce the opportunities for crime and disorder. The PALO does advise that the site is located very close to a high crime area and therefore recommends these homes are built to the full Secured by Design Award level.
- 5.13 **Broxtowe Borough Council:** No objection to the proposal on the assumption that Nottinghamshire County Council, as highway authority, has no objection to the reserved matters stage.
- 5.14 **Coal Authority:** No observations as satisfied the outline permission conditions covers the coal mining issues sufficiently.

6 RELEVANT POLICIES AND GUIDANCE

National Planning Policy Framework:

- 6.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policies. While planning applications still need to be determined in accordance with the development plan, which are set out in the report, the NPPF is a material consideration in the assessment of this application.
- 6.2 The NPPF advises that there is a presumption in favour of sustainable development and that development which is sustainable should be approved. Paragraph 17 of the NPPF lists the core planning principles that should underpin decision taking on planning applications. Of particular relevance to this application is the need to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, 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 118 states that local planning authorities should aim to conserve and enhance biodiversity by applying a range of principles including that if significant harm can not be avoided, mitigated or as a last resort compensated, then permission should be refused.

Nottingham Local Plan (November 2005):

- 6.6 The following policies have been saved and are considered to be relevant to assessment of the application. The policies are considered to be consistent with the NPPF and therefore should be attributed full weight in the decision making process.

ST1 – Sustainable Communities

H2 – Density.

H3 – Appropriate Housing Types.

H5 – Affordable Housing

R2 – Open Space in New Development.

R3 – Access to Open Space.

BE1 – Design Context in the Public Realm.

BE2 – Layout and Community Safety.

BE3 - Building Design.

BE4 - Sustainable Design.

BE5 – Landscape Design.

NE5 – Trees.

NE10 – Water Quality and Flood Protection.

T3 - Car, Cycle and Servicing Parking.

Aligned Core Strategy Publication Version (2012)

Policy 8 – Housing Size, Mix and Choice

Policy 10 – Design and Enhancing Local Identity

Policy 16 – Green Infrastructure, Parks and Open Space

7. APPRAISAL OF PROPOSED DEVELOPMENT

Main Issues

- (i) Layout and landscaping
- (ii) Appearance/Housing Design

(i) Layout and Landscaping (Policies ST1, H2, H3, BE1, BE2, BE3, BE5, R2, R3, NE5 and T3)

- 7.1 The principle of residential development has been established with the outline planning permission and this application concerns the details or 'reserved matters' of the scheme. The application proposes a total of 290 dwellings over a net

developable area of 8.62ha and these equates to a density of 33.6 dwellings per hectare. This is a Greenfield site and it is considered that the proposed density strikes the appropriate balance between making good use of land and being respectful of the site's location adjacent to the Green Belt and open countryside. Of the total number of dwellings proposed, 249 (86%) will be classed as family accommodation (3 bedrooms or above) and of the remaining 41 dwellings, 12 are proposed as two bed bungalows. It is evident that the scheme will deliver family housing in accordance with Policy ST1 and that the density is appropriate for the site and its surroundings and the type of housing that is proposed. The proposal is therefore in accordance with Policy H2.

- 7.2 The layout demonstrates that the proposed development will provide a range of house types in compliance with Policy H3. The principles of the masterplan approved at the outline stage have evolved to create a detailed layout that will create character and interest. The layout is structured around a street hierarchy that informs the character of the place, with a clear rationale behind the formation of the streets. A central boulevard runs between the main approved access points of Woodhouse Way and Lawrence Drive and will accommodate a new bus route. This is the main vehicular route through the site but is designed to minimum widths to ensure reductions in speed and that the highway is not visually dominating. The lower boulevard section towards the south of the site in particular incorporates tight bends with changes in surfacing, ensuring that character is not compromised in providing the necessary highway infrastructure.
- 7.3 The proposed houses are sited to address key roads both externally and internally to the development. There is a strong building frontage to Woodhouse Way that is set back an appropriate distance so to ensure that the existing right of way to the immediate east retains its integrity. There is a proposed shared surface lane sitting alongside and complimenting this route and the elevated nature of the site above Woodhouse Way will ensure that the houses present effectively as a prominent street-scene. Development addresses Lawrence Drive with a contemporary style of housing that offers a connection between the existing built form of the business park and the more traditional housing proposed throughout the majority of the layout. The southern and western peripheries of the proposed layout seek to take advantage of the open countryside views through orientation and this rural edge informs the character with development being served by narrower roads with a grass verge and site boundary hedging. Internally the layout is designed with a series of blocks that vary in form and shape but also provide legible connections and good permeability. The housing addresses all streets with good building coverage throughout and changes in density enhance character with lower density to the west and higher density to the east.
- 7.4 The integration of open space and street trees into the layout is a significant element of the design. The main open space within the development takes the form of 'Middle Green' a central area of the development which frames some of the larger proposed properties within the scheme. The natural play area is on the edge of the proposed housing making use of the open character to the south and west but remains easily accessible and with good natural surveillance in accordance with Policy R3. Street trees are prevalent throughout the scheme with main streets such as 'The Boulevard' and 'The Avenue' incorporating trees into the pavement and other narrower roads providing build outs accommodating trees to enliven the street. This philosophy builds on the retention of the copse to south of the proposed natural play area and the line of existing maturing trees which are to encompassed in a wide highway verge opening out towards the open space. The strong presence

of open space and landscaping is both welcome and appropriate and will be vitally important in establishing the character and sense of place of the site.

- 7.5 A key feature of the proposed layout is the inclusion of front boundary treatment which is proposed throughout with the exception of the rural edge where the character justifies a more open approach. The front boundary proposals include a mix of treatments comprising railings, brick walls, stone walls, hedges or combinations of such. The proposed boundary treatments are thoughtfully grouped together and provide variety, together with a strong sense of enclosure helping define public and private defensible space.
- 7.6 A challenge with a housing development of this size and even at a comparatively modest density, is to provide and successfully integrate sufficient parking into the layout. With the exception of a small number of properties on the 'Mews' style streets which provide parking equivalent to 1.5 spaces per dwelling, all dwellings provide a minimum of two spaces per dwelling (including garages), with the larger houses generally accommodating in excess of this. The parking is predominately provided on plot with some frontage parking in the higher density areas. On the larger dwellings there are some examples of long driveways, the appearance of which is proposed to be mitigated by entrance gates which will reduce the extent of visible hard-standing. With the parking located either on plot or to the front of the dwellings as part of the street layout, future residents should be able park appropriately and conveniently, reducing the prospect of streets cluttered with vehicles.
- 7.7 The relationships between proposed houses has been carefully considered in formulating the layout with minimum back to back distances of 20m and houses orientated to maximise the benefits of views of the open countryside. The minimum garden length of 10m is considered appropriate and the proposal will provide housing that affords a high level amenity for its future occupants.

(ii) Appearance/Housing Design (Policy BE3)

- 7.8 The application proposes a good variety of house types (approximately 35) that generally can be categorised as traditional, traditionally proportioned properties with contemporary features, and contemporary architecture.
- 7.9 The most common approach to the architecture is traditional but within this category there is a spectrum of design details which will ensure both quality and variety. These include steep roof pitches, dormer windows, classic style windows (70mm reveals), sporadic use of chimneys, bay windows, eaves detailing, strong gable projections, different porch designs and changes in materials including the use of stone and coloured render. The differing combination of these details, coupled with the characteristics of individual streets and the extensive range of boundary treatment, will ensure interesting and varied properties within the traditional design range.
- 7.10 The Lane/Shared Surface character area, which includes three quarters of the Woodhouse way frontage, is proposed with house types that incorporate a contemporary twist to a traditionally formed dwelling. This is proposed to be achieved through the use of alternative materials, pairing red brick with coloured weatherboarding or render, grey window frames, and contemporary style porches/entrances. This again will add strong variety to the house types and is

informed by the traditional principles to the design adopted on the majority of the site.

- 7.11 There are a collection of thirteen properties proposed on or adjacent to the Lawrence Drive frontage which have taken a contemporary approach, with mono-pitched roofs and roof terraces. These house types have been produced in response to the requirement to have some variety in form of the houses and the combination of their shape and the materials proposed offer a strong alternative to the traditional approach. These houses have been sited closest to the existing business park to reflect that the business park units are themselves of a more contemporary design and have mono-pitch roofs; there is therefore logic to this approach and continuity in form, albeit the business park buildings are larger in scale. Given the scale of the proposed development it is considered appropriate to have some units which are more adventurous in their style and coupled with the variety and quality of house types that are evident in other areas of the site, it is considered that the addition of these contemporary house types has a positive effect on the overall standard of the scheme.
- 7.12 The styles and range of house types are considered acceptable in isolation but there is also a strong design logic in how they have been fitted together within the scheme. The character zones which have been informed by the street hierarchy also have regard for the architectural styles and density of housing. The contemporary housing and those types with more contemporary features have been thoughtfully grouped to the north and eastern sides of the development within denser areas, as opposed to being spread throughout the site without continuity. The 'Middle Green' area is appropriately framed with larger more traditional dwellings and the rural edge area is more spacious and at a lower density. The house types proposed are considered to be of a high standard that will add to the quality of the place created by other features of the development such as the streets, open spaces and landscaping and will provide attractive family housing.
- 7.13 The scheme has been appraised against the Building for Life criteria which sets out twelve key assessments on which proposed development should be judged. There are three sections to the assessment, comprising 'integrating into the neighbourhood', 'creating a place' and 'street and home', and each have four criteria. Having considered the proposed development against the Building for Life criteria it is considered that the scheme achieves a score of 11/12, with strong performance in the creation of place through designing character and well defined streets and places. On balance it is not considered appropriate to award a full 12/12 score, as the development is not particularly close to a full range of existing facilities, nor does the development provide any within the site. Nevertheless the scheme overall performs strongly against the Building for Life criteria, re-inforcing its design quality.

Other Issues

- 7.14 The development proposes 20% affordable housing which equates to 58 dwellings. The affordable units are spread between a mix of two bed (33) and three bed (25) dwellings with the two bed properties including 12 bungalows. The housing is a mix between social rent (43) and intermediate, comprising shared ownership and shared equity units (15) and is clustered in several groups of between 7-15 dwellings and are well integrated with the market housing. It is considered that the affordable housing scheme in terms of tenure mix and housing type, is acceptable and appropriate for the site, satisfying the requirement of the outline permission and Policy H5 of the Local Plan.

7.15 The objections raised from residents in relation to traffic and the position of the proposed HS2 line have been considered as part of the outline planning permission and the impacts found to be acceptable. Similarly an assessment has been undertaken with regard to nature conservation on the outline planning permission and the proposal was found to be compliant with national and local plan policies. Education provision is dealt with through the Section 106 Agreement tied to the outline planning permission by way of a contribution.

7.16 The matters raised by Highways have been addressed and the detailed design of the drainage basin to the south of the proposed housing will be the subject of approval through conditions. As this is a reserved matters application, the number of conditions on the draft decision notice will be very low for a scheme of this size, as the vast majority of issues are covered by the conditions imposed on the outline planning permission, which were extensive in breadth and detail.

8. SUSTAINABILITY / BIODIVERSITY

Condition 10 of the outline planning permission secures the requirement that a minimum of the development's energy supply shall be provided by way of a renewable or low carbon energy supply. Condition 16 of the outline planning permission relates to ecological enhancement, including habitat creation.

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: would provide high quality and sustainable residential development.

Safer Nottingham: would help provide a safer and more attractive neighbourhood.

14 CRIME AND DISORDER ACT IMPLICATIONS

The Police Architectural Liaison Officer has confirmed that the proposed development complies with the Secured by Design criteria. They encourage a full Secured by Design Award level which in addition to the appropriate layout and orientation of development (which this proposal achieves), involves an assessment of physical security measures (for example locks) which would be matters secured

outside of the planning system. The comments of the PALO have been forwarded to the applicant.

15 VALUE FOR MONEY

None.

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

1. Application file reference: 14/00335/PRES4
<http://plan4.nottinghamcity.gov.uk/WAM/pas/findCaseFile.do?appNumber=13%2F01703&action=Search>
2. Comments from NCC Highway dated 10 March 2014
3. Comments from Noise and Pollution Control dated 18 February 2014
4. Comments from Heritage and Urban Design dated 3 April 2014
5. Comments from Nottinghamshire Wildlife Trust dated 27 March 2014
6. Comments from Broxtowe Borough Council dated 3 March 2014
7. Comments from the Coal Authority dated 4 March 2014
8. Comments from Tree Officer dated 2 April 2014
9. Comments from Environment Agency dated 20 February 2014
10. Comments from Biodiversity Officer dated 10 March 2014
11. Comments from NCC Housing dated 3 April 2014
12. Comments from local residents/businesses dated 21 February, 7, 10 and 13 March 2014.

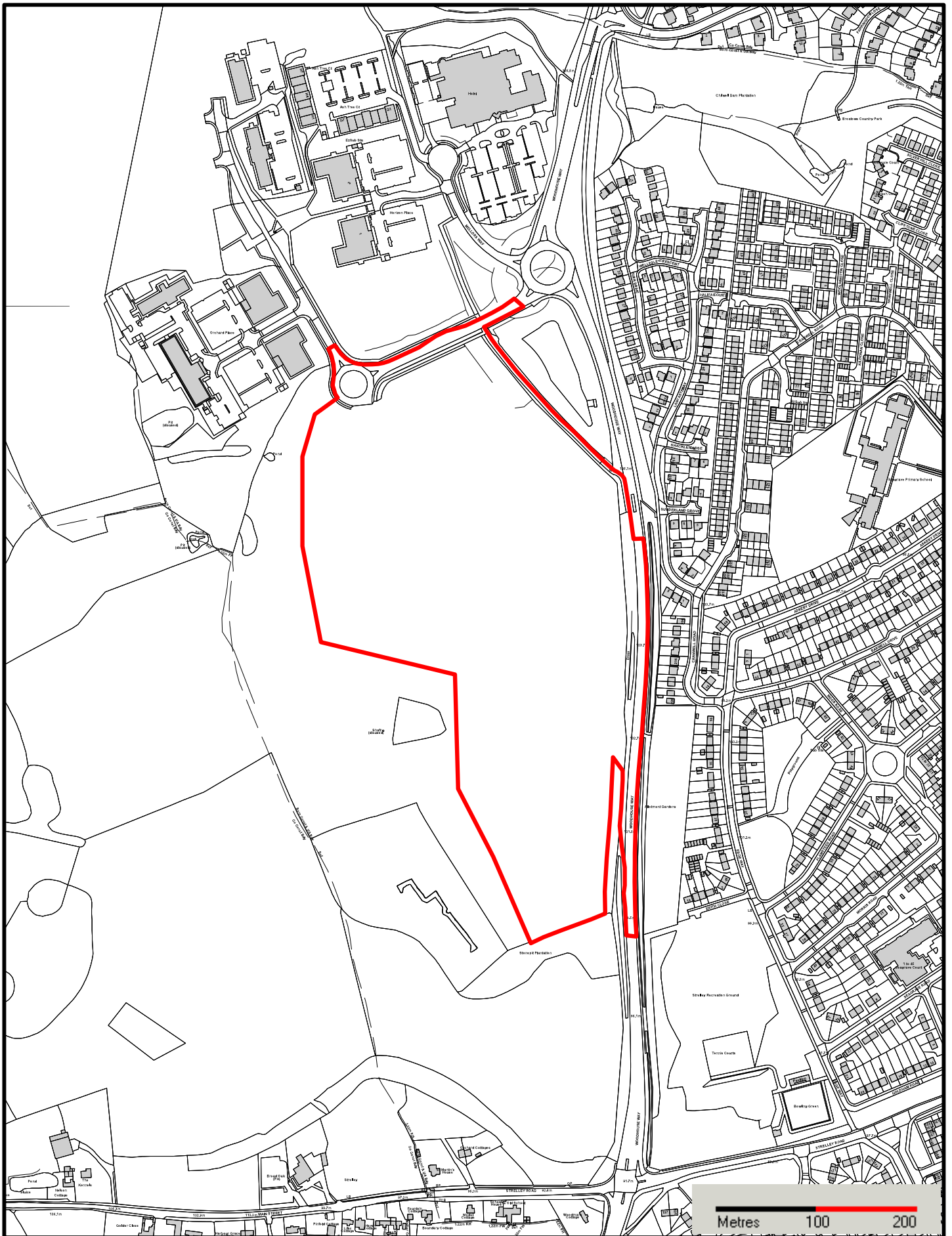
17 Published documents referred to in compiling this report

1. Nottingham Local Plan (November 2005).
2. National Planning Policy Framework.
3. Aligned Core Strategy (Publication Version) 2012.

Contact Officer:

Mr Mark Bassett, Case Officer, Development Management.

Email: mark.bassett@nottinghamcity.gov.uk. Telephone: 0115 8764193



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Nottingham
City Council

My Ref: 14/00335/PRES4
Your Ref:
Contact: Mr Mark Bassett
Email: development.management@nottinghamcity.gov.uk



**Nottingham
City Council**

Development Management
City Planning
Loxley House
Station Street
Nottingham
NG2 3NG

Tel: 0115 8764447
www.nottinghamcity.gov.uk

Barratt Homes North Midlands
Mrs Charlotte Henson
2 Horizon Place
Nottingham Business Park
Nottingham
NG8 4PY

Date of decision:

**TOWN AND COUNTRY PLANNING ACT 1990
APPLICATION FOR APPROVAL OF RESERVED MATTERS**

Application No: 14/00335/PRES4
Application by: Barratt Homes North Midlands
Location: Land To South Of Nottingham Business Park, Woodhouse Way, Nottingham
Proposal: Residential development comprising 290 dwellings and associated works (reserved matters for application reference 13/01703/POUT).

Nottingham City Council as Local Planning Authority hereby **APPROVES** the reserved matters described in the above application subject to the following conditions:-

Pre-commencement conditions

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

1. Prior to the commencement of the phase or phases of development adjacent to the existing public right of way, protective fencing shall be erected and maintained in situ during the construction period for that phase or phases in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the users of the public right of way are sufficiently protected from construction and in accordance with the aims of Policy BE2.

Pre-occupation conditions

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

2. Details of any electricity substations or above ground structures associated with the electricity supply to the site shall have first been submitted to and approved in writing by the Local Planning Authority prior to the commencement of such works on site. Thereafter, the development shall only 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.



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Nottingham
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Not for issue

Continued...

3. The front gates proposed for specific plots as identified on drawing number EMS.2489_007 M I shall be erected in accordance with details submitted to and approved in writing by the Local Planning Authority, prior to the occupation of that particular plot.

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

Regulatory/ongoing conditions

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

There are no conditions in this section.

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 14 February 2014.

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 applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highway Authority then the new road/s and any highway drainage will be required to comply with our design guidance and specifications. The Advanced Payment Code in the Highways Act 1980 applies and under Section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 agreement can take some time to complete. Therefore it is recommended that the developer contact the Highway Authority as early as possible for clarification with which compliance will be required and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the Highway Authority in writing before work commences on site. Please contact Liz Hiskens on 0115 876 5293 at the earliest opportunity to begin the process.

4. There is a commitment in the Council Plan to introduce more 20mph speed limits across the City around educational establishments, shopping, residential areas and community facilities. Nottingham City Council is aiming to introduce a 20mph scheme across the City and all roads (except A and B category roads) are to be considered for the new 20mph speed limit. This will involve a separate legal order, and all costs shall be borne by the applicant. Please contact Traffic Management on 0115 876 5245 for further advice and information.



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: 14/00335/PRES4

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.