

REPORT OF CHIEF PLANNER

Mundella Centre , Green Street

1 SUMMARY

Application No: 16/01987/PFUL3 for planning permission

Application by: Mike Askey on behalf of Alec Hamlin, Blueprint (General Partner) Limited

Proposal: Change of use from educational office building to 10 dwellings and associated site works.

The application is brought to Committee as it has generated significant public interest that is contrary to officer recommendation.

To meet the Council's Performance Targets this application should have been determined by 8th November 2016, however an extension of time has been agreed.

2 RECOMMENDATIONS

GRANT PLANNING 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 Chief Planner.

3 BACKGROUND

- 3.1 The application relates to the former Mundella Centre which was last used as offices for the education team at Nottinghamshire County Council, but has now been vacant for many years.
- 3.2 The building sits in a prominent corner position at the junction of Wilford Crescent East, Green Street and Woodward Street and has road frontages to each. It is a 'U' shaped building, which sits directly at the back of the pavement, and has a small internal courtyard along its eastern boundary. The building is two storeys in height and is constructed in brick, with a tiled hipped roof. It is characterised by a series of distinctive tall metal framed windows and a two storey enclosed walkway facing into the internal courtyard.
- 3.3 The building has two pedestrian entrances, the first from Woodward Street, and the second from Green Street. There is no off street parking associated with the building and historically all parking and servicing has been accommodated on the surrounding roads.

- 3.4 The site sits within a primarily residential area and within Flood Zone 3 of the River Trent. To the east the building is adjoined to terraced residential properties on Woodward Street and Green Street. New residential development, by the applicant Blueprint, is located to the south on the opposite side of Green Street. To the north the Meadows Youth and Community centre sits on the opposite corner of Woodward Street with Wilford Crescent East. To the west, on the opposite side of Wilford Crescent East, is the cleared site of the former Trent Works. This site is the subject of a separate planning application to be considered by Planning Committee at this meeting (16/01986/PFUL3).

4 DETAILS OF THE PROPOSAL

- 4.1 Permission is sought to convert the existing building into 10 dwellings, which would comprise its vertical subdivision into 2x2 bedroom dwellings and 8x3 bedroom dwellings. The main entrance to each dwelling would be from the rear elevation of the building, accessed via two communal entrances on Green Street and Woodward Street.
- 4.2 It is proposed to re-landscape the inner courtyard as communal space for the dwellings. No off street parking is to be provided but the inclusion of the residents in the area's residential on-street parking scheme is proposed.
- 4.3 The main external changes to the appearance of the building are as follows:
- The replacement of the existing metal framed windows with new heritage aluminium double glazed windows;
 - A single storey building, with a green roof, is proposed to be constructed to the eastern boundary of the courtyard to accommodate bikes, bins and plant;
 - The existing roof, glazing and timber boarding to the enclosed rear walkway are proposed to be removed, due to their poor state of repair. The first floor walkway would then be divided to form a small first floor terrace for each dwelling, whilst the ground floor would remain as a covered entrance walkway;
 - Alterations of the ground floor rear elevation to provide entrance doors and relocated windows for each dwelling;
 - Relocation of the communal entrance door on the Woodward Street elevation.

5 CONSULTATIONS AND OBSERVATIONS OF OTHER OFFICERS

Adjoining occupiers consulted:

97 neighbour notification letters were sent to residents on Green Street and Woodward Street. The application has also been advertised by site notice. The period for comment expired on 22.10.2016. In response 5 comments have been received which are summarised below:

- Two local residents are in support of the scheme. One resident does however comment that additional parking is required through an extension to the existing residential parking permit area (see below).
- Resident's main concern relates to increased traffic, on-street parking and that existing parking permit holders would not be able to park on Woodward Street or Green Street. Criticism is made of the submitted On Street Parking and Capacity Assessment for only being carried out twice and not in the evenings, when parking demand is at its greatest. A resident carried out their own small

survey and on 4 occasions there were largely no spaces available. They consider that residents all have cars despite good public transport links in the area. Instead of using old census data (2011) it is considered that a door to door survey of the area should have been carried out. They comment that the parking on all streets needs to be marked out because often more cars could be accommodated if people parked better. They suggest that parking at the adjacent sports facilities be put into a permit scheme for the new housing or these developments be permitted to park on just Turney Street and Pyatt Street, which are usually empty because there is only the bus depot. They also suggest that there is a need for permit parking on Sundays.

- The building should be maintained for community use or possible other projects to help the community in that area.
- Loss of privacy from the first floor terraces.
- The impact of noise during conversion of the building.
- No consideration has been given to electric car charging points in the area.
- Concern over the loss of another iconic building in the area. Trent Bridge School has already been demolished to make way for new housing.
- Query over why the building has been left vacant for so long.

Additional consultation letters sent to:

Environmental Health and Safer Places: No objections. Recommend conditions relating to contamination.

Highways: No objections. An application and draft designs for amendments to the Traffic Regulation Order in the area are required to be agreed by condition.

Environment Agency (EA): Objection. The submitted Flood Risk Assessment presently fails to ensure that new more vulnerable development would be kept safe for its lifetime, and consider how residents would be kept safe from flood hazards.

The new climate change guidance recommends that more vulnerable developments in Flood Zone 3a should use the higher central and upper end climate change value (i.e. peak river flow allowances of between 30% and 50%). The new 100 year 30% peak flow flood height would be 25.31m AOD, and 25.76m AOD for the 100 year 50% scenario. In addition, a modelled breach in a 100 year scenario including a 30% peak river flow to reflect climate change would result in a modelled flood height of 25.65m AOD. Existing ground finished floor levels (FFLs) in this property are 25.41mAOD, which is only 100mm above the 30% scenario, and below both the 50% and the breach 30% scenario. Best practice guidance states that FFLs should be set no lower than 600mm above the modelled flood level (ie. 26.25m AOD).

The EA require consideration within the FRA of whether FFLs could be raised any further, while taking into account minimum floor to ceiling height guidelines that would also need to be adhered for planning purposes. Flood resistant construction techniques should be incorporated to provide further protection if FFLs cannot be raised as far as the guidance recommends.

A revised FRA has now been submitted and further comments from the EA will be reported to the meeting.

Drainage: No objections. Recommend a condition relating to surface water drainage details, to include a 30% reduction in surface water run-off and the use of sustainable drainage techniques.

6 RELEVANT POLICIES AND GUIDANCE

National Planning Policy Framework (March 2012):

- 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 unless material planning considerations indicate otherwise, 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. Paragraph 17 of the NPPF lists the core planning principles that should underpin decision making 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.
- 6.3 Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development.
- 6.4 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.
- 6.5 Paragraphs 100 to 104 sets out a sequential approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking the account of climate change.
- 6.6 Paragraph 111 states that planning decisions should encourage the effective use of land by re-using land that has been previously developed.

Nottingham Local Plan (November 2005):

ST1 - Sustainable Communities.

H2 - Density.

T3 - Car, Cycle and Servicing Parking.

NE9 - Pollution.

NE10 - Water Quality and Flood Protection.

Aligned Core Strategy (September 2014):

Policy A: Presumption in Favour of Sustainable Development.

Policy 1: Climate Change.

Policy 8: Housing Size, Mix and Choice.

Policy 10: Design and Enhancing Local Identity.

Policy 14: Managing Travel Demand.

7. APPRAISAL OF PROPOSED DEVELOPMENT

Main Issues

(i) Principle of the development and appropriateness of the mix of house types;

(ii) Layout and design considerations;

(iii) Highway considerations;

(iv) Impact on residential amenity;

(v) Flood Risk.

(i) Principle of the development and appropriateness of the mix of house types (NPPF, Policies A, 10 and 8 of the Aligned Core Strategy, Policies ST1 and H2 of the Local Plan)

7.1 The Mundella Centre was originally built as a school but in later years was used as offices by the County Council, until surplus to requirements. Freehold ownership of the building was then transferred to the City Council. The building has now been vacant for over 5 years and has fallen into a poor state of repair. In that time the building has been actively marketed by the property team and some expressions of interest were initially received for community uses, but were never progressed. The proposal would secure a long term use for the building and given its location within a predominantly residential area and such close proximity to adjoining housing, it is considered that the most appropriate future use of the building would be residential. There is, therefore, no objection in principle to residential use, provided it complies with the other policies of the Local Plan and the Aligned Core Strategy.

7.2 The proposal would provide 10 new dwellings comprising of a mix of 2x2 bedroom and 8x3 bedroom houses. The size and layout of the units are generous and would provide a high quality scheme with a good degree of amenity in terms of space and outlook. All the dwellings would have use of the communal courtyard space, together with a small first floor terrace.

7.3 The proposal therefore accords with NPPF, Policies A, 10 and 8 of the Aligned Core Strategy, Policies ST1, H2, and H5 of the Local Plan.

(ii) Layout and design considerations (NPPF and Policy 10 of the Aligned Core Strategy)

7.4 The retention and conversion of the building is welcomed and the proposed layout of the dwellings and external alterations have been sympathetically designed to respect the character and appearance of this locally important building. The creation of new entrances to the units from the street was explored but issues of

flood risk and encroachment onto the footpath have prevented their integration into the scheme. Details of all replacement windows and doors, together with the changes to the enclosed walkway, are proposed to be dealt with by condition.

- 7.5 The improvements to the inner courtyard would create a small but attractive area of private external space to serve the development and compliment the quality of the facades of the building that enclose it. The bin and cycle store has been designed with a green roof to soften its visual impact when viewed from neighbours and resident within the development.
- 7.6 Overall, it is considered that the conversion and reuse of the building would result in an enhancement to the local townscape and enliven the street scene. The proposal would therefore comply with Policy 10 of the Aligned Core Strategy and the aims of the NPPF.

(iii) Highway considerations (Policy 10 of the Aligned Core Strategy and Policy T3 of the Local Plan)

- 7.7 Proposals for both Mundella Centre and Trent Works have been considered together given their close proximity and highway implications.
- 7.8 The Mundella Centre site has no off-street parking provision and therefore requires a minimum of 10 on-street parking spaces. Development proposals at Trent Works also have an under-provision of parking, with 11 dwellings not having off-street parking. It is however proposed to create two new on street parking bays adjoining the Trent Works site on Wilford Crescent East, which would accommodate 8 cars (to be included in the existing residents parking permit scheme in the area). This would result in a net addition of 3 available on-street parking spaces once the reduction in on-street parking spaces on Felton Road is taken into account, after the creation of access to off-street parking provision for the new dwellings fronting Felton Road. Across the two sites this equates to a total of 22 dwellings with no formal parking provision.
- 7.9 The majority of existing terraced houses on surrounding streets don't have off-street parking and to manage parking pressures, the area is subject to a residents parking scheme. To assess the capacity of the current scheme to provide additional resident and visitor parking permits, for both developments, the applicant has carried out an On Street Parking Capacity Assessment. A series of parking surveys were carried in the area, the scope of which, in terms of the number and timing of the surveys, was agreed with Highways. The Assessment concluded that even at the busiest periods of the survey, there was available capacity for all residents to apply for a visitor parking permit and for those without access to private off-street spaces, to apply for a residents parking permit in addition to a visitor permit.
- 7.10 Highways, in review of the Assessment, consider that there has been an overestimation of the number of potential on street parking spaces available. Highways have therefore requested, by condition, that the Traffic Regulation Orders in the area be reviewed and amended before consideration is given to allowing any permits to the residents of both developments, other than within the 8 spaces created on Wilford Crescent East. It should be noted that the eligibility of residents to be included within the residents parking scheme is a separate matter controlled by Highways, and that it may not be possible to provide resident parking permits for all residents of the proposed developments.

- 7.11 However, it is also recognised that both sites are located in a highly sustainable location with access to good public transport links to the city centre and surrounding areas, and good cycle and pedestrian links. Secure cycle parking would be provided for each residential unit.
- 7.12 On this basis Highways consider the two developments would be acceptable, subject to the condition outlined above.

(iv) Impact on residential amenity (Policy 10 of the Aligned Core Strategy and Policy NE9 of the Local Plan)

- 7.13 The proposed scheme has been designed to take into account the existing residential properties which abut the site, to ensure that there would be no adverse impact upon their amenities or those of future occupants of the new development in terms of light, outlook and privacy.
- 7.14 At first floor level it is proposed to convert the existing covered walkway on the internal courtyard elevation into a small first floor terrace for each dwelling. Given its previous use as a walkway, it would be no closer to neighbouring properties than at present and as the internal courtyard provides a good level separation, the proposed dwellings relationship with neighbouring properties is considered to be acceptable. Furthermore, the development largely replicates the similar tight relationship shared between the terraced properties on Woodward Street and Green Street.
- 7.15 The development would therefore comply with Policy 10 of the Aligned Core Strategy.

(v) Flood risk (Policy 1 of the Aligned Core Strategy 1 and Local Plan Policy NE10)

- 7.16 A revised FRA has been submitted to resolve concerns of the Environment Agency with regard to the finished ground floor level of the units. This will be reported upon further by means of the Committee Update Sheet.

8. SUSTAINABILITY / BIODIVERSITY

Solar panels are proposed to the roof. It is also proposed to use a 'fabric first' approach to bring the building up to current Building Regulation requirements.

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: Redevelopment of a long term cleared brownfield site with a high quality, sustainable residential development.

Working Nottingham: Opportunity to secure training and employment for local citizens through the construction of the development.

Safer Nottingham: The development is designed to contribute to a safer and more attractive neighbourhood.

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: 16/01987/PFUL3 - link to online case file:
<http://publicaccess.nottinghamcity.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OCK0PLLYFM100>
2. Environmental Health and Safer Places comments 04.10.16.
3. Comments for a local resident 31.01.17.
4. Comments from a resident of Woodward Street 10.10.16.
5. 2 Comments from a resident of Woodward Street 24.10.16
6. Comments from a resident of Woodward Street 17.10.16.
7. Comments from a resident of Pyatt Street 03.10.17.
8. Drainage comments 11.01.17.
9. Highways comments 11.01.17.
10. Environment Agency comments 25.10.16.

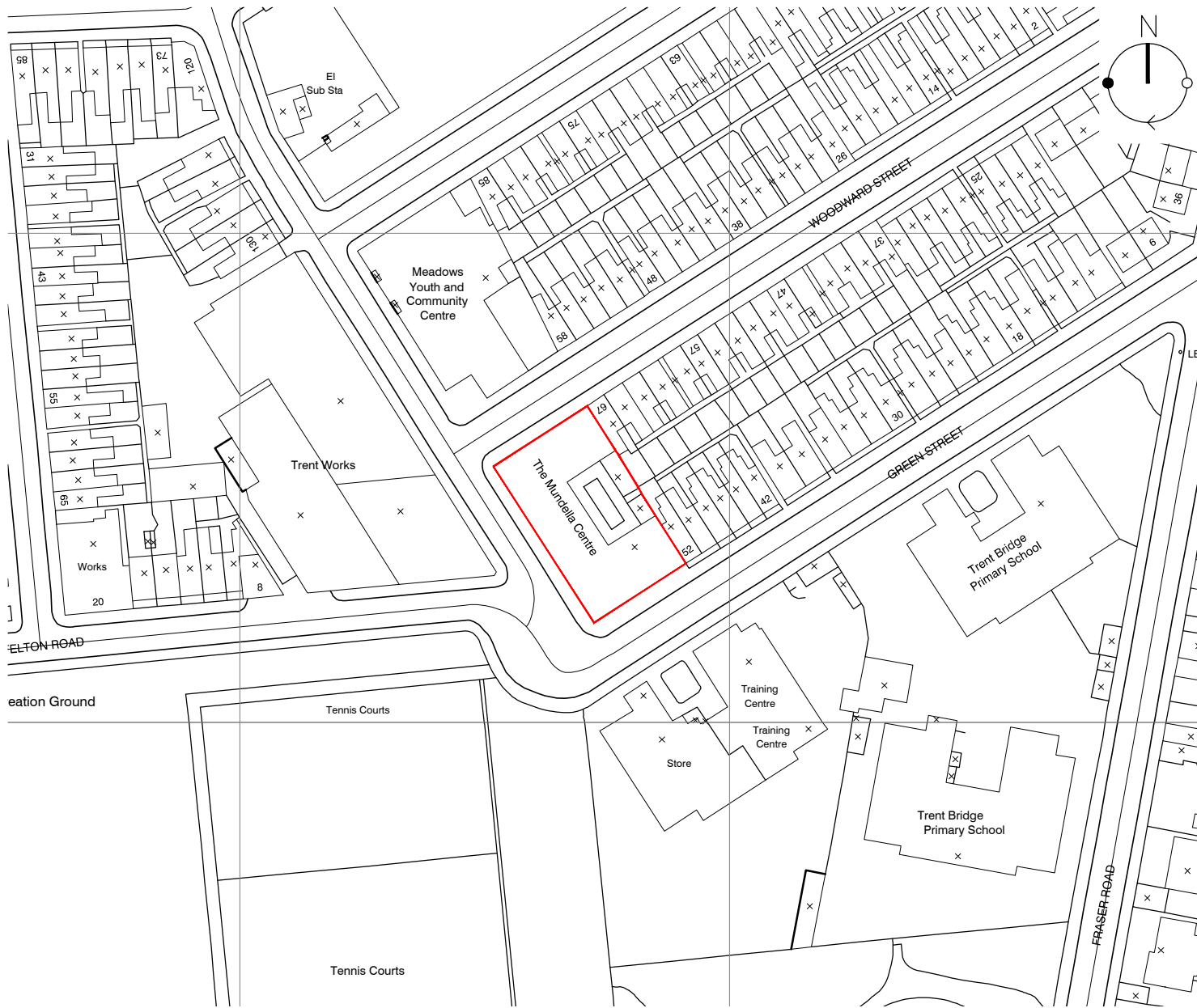
17 Published documents referred to in compiling this report

Nottingham Local Plan (November 2005)

Contact Officer:

Mrs Jo Briggs, Case Officer, Development Management.

Email: joanna.briggs@nottinghamcity.gov.uk. Telephone: 0115 8764041



notes

1. Refer to figured dimensions, do not scale.
2. If in doubt refer to the Architect before work starts
3. All dimensions are to be checked on site
4. The Architects disclaim responsibility for variations from this drawing made without their written consent
5. Please ensure that there have been no additional revisions to this drawing before starting work.

revisions

client

Blueprint

job

Mundella Centre

drawing

Site Location Plan

scale

1:1250 @ A4

date

April 2016

no.

12013-PL-00

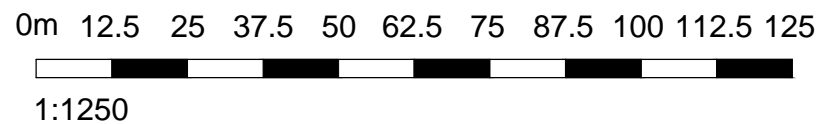
revision

-

drawn by

phone_ 0115 941 1761
 web_ marsh-grochowski.com
 address_ 37a Sneinton Hermitage, Nottingham
 NG2 4BT

01 Site Location Plan
 1:1250 @A4



My Ref: 16/01987/PFUL3 (PP-05406959)
Your Ref:
Contact: Mrs Jo Briggs
Email: development.management@nottinghamcity.gov.uk



**Nottingham
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Date of decision:

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

Application No: 16/01987/PFUL3 (PP-05406959)
Application by: Alec Hamlin
Location: Mundella Centre , Green Street, Nottingham
Proposal: Change of use from educational building to 10 dwellings and associated site works.

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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Not for issue

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2. No development or site preparation works shall be carried out on the site until details of a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period for the development and shall provide for:
- a) Details of the type, size and frequency of vehicles to/from the site and haul routes (if any);
 - b) The parking of vehicles of site operatives and visitors;
 - c) Loading and unloading of plant and materials;
 - d) Storage of plant and materials used in constructing the development;
 - e) Wheel washing facilities, if necessary;
 - f) Measures to control the emission of dust and dirt during construction;
 - g) Site security;
 - h) Measures to prevent the deposit of debris on the highway and;
 - j) A timetable for its implementation.

Reason: To avoid prejudice to traffic conditions within the vicinity of the site and to safeguard the amenities of neighbouring residents to comply with Policy 10 of the Aligned Core Strategy and Policy NE9 of the Nottingham Local Plan.

3. Prior to the commencement of the development, a Remediation Strategy that includes the following components to deal with the risks associated with ground and groundwater contamination of the site shall be submitted to and be approved in writing by the Local Planning Authority:
- a) A Remediation Plan, based on the Phase I & II Geo-Environmental Investigation by Milward dated May 2012 (Job No. N12133/V1) giving full details of the remediation measures required and how they are to be undertaken (including a contingency plan for dealing with any unexpected contamination not previously identified in the Site Investigation).
 - b) A Verification Plan providing details of the data that will be collected in order to demonstrate that the works set out in c) above are complete.

The Remediation Strategy shall be carried out in accordance with the approved details unless varied with the express written approval of the Local Planning Authority.

Reason: In the interests of the health and safety of the occupiers of the development in accordance with Policy NE12 of the Nottingham Local Plan.

4. The development shall not be commenced until all drainage details have been submitted to and approved in writing by the Local Planning Authority.

The provision shall reduce peak surface water run-off by 30% relative to the site's previous use and shall prevent the unregulated discharge of surface water to the public highway. This provision shall then be retained for the life of the development.

Reason: To ensure that the development is provided with a satisfactory means of drainage, to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with Aligned Core Strategy Policy 1 and Policy NE10 of the Nottingham Local Plan.

5. Notwithstanding the submitted plans, the development shall not commence until details of the following have been submitted to and approved in writing by the Local Planning Authority.

- a) All new windows and doors, including large scale plans and sections;



- b) Elevations of the revisions to the rear elevation at ground floor level,
- c) Treatment of all first floor terraces, including the use of privacy screening for terraces in close proximity to neighbouring residents;
- d) Treatment of the inner courtyard, including hardsurfacing and landscaping details;
- e) The green roof to the ancillary bin and cycle store.

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

Reason: In order to ensure an appropriate quality of finish to the approved development and in accordance with Policy 10 of the Aligned Core Strategy.

Pre-occupation conditions

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

6. Prior to the first occupation of any of the dwellings hereby approved, an application and draft designs for amendments to the Traffic Regulation Order in the area shall be submitted to and approved in writing by the Local Planning Authority.

The developer shall thereafter pursue implementation of the proposed amendments, prior to first occupation of the dwellings.

Reason: In the interests of Highway Safety and sustainable development in accordance with Policies 10 and 14 of the Aligned Core Strategy and Policy T3 of the Nottingham Local Plan.

7. Prior to first occupation of the development, the following shall be submitted to and be approved in writing by the Local Planning Authority:
- a) A Verification Report, which shall include the data referred to in the Verification Plan, to demonstrate that the approved Remediation Strategy to deal with ground gas contamination of the site has been fully implemented and completed.
 - b) A Verification Report, which shall include the data referred to in the Verification Plan, to demonstrate that the approved Remediation Strategy to deal with ground and groundwater contamination of the site has been fully implemented and completed.

Reason: In the interests of the health and safety of the occupiers of the development in accordance with Nottingham Local Plan Policy NE12.

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 13 September 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.



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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. Contaminated Land & Groundwater

The Remediation Strategy (including its component elements) must be undertaken and implemented in accordance with Defra and the Environment Agency's guidance 'Model Procedures for the Management of Land Contamination, CLR 11' and other authoritative guidance. The Remediation Strategy must also provide details of:

- 'Cut and fill' operations on site
- How trees retained on site will be dealt with
- Any asbestos surveys carried out, the method statement for removal of asbestos and subsequent validation of air and soil following asbestos removal and demolition.

Following completion of the development, no construction work, landscaping or other activity must be undertaken which may compromise the remediation measures implemented to deal with ground and groundwater contamination of the site.

It is a requirement of current Building Regulations that basic radon protection measures are installed in all new constructions, extensions conversions & refurbishments on sites which are Radon Class 3 or 4 and full radon protection measure are installed on site which are Radon Class 5 or higher. Advice from the Council's Environmental Health Team regarding appropriate gas protection measures must be sought where there are both radon issues and ground gas issues present.

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

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: 16/01987/PFUL3 (PP-05406959)

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/pcs.

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.