

My Ref: 17/00965/PRES4 (PP-05963469)

Your Ref:

Contact: Miss Jenny Cole

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

Mr Chris Waumsley
Freeths LLP
Cumberland Court
80 Mount Street
Nottingham
NG1 6HH

Date of decision:

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

Application No: 17/00965/PRES4 (PP-05963469)
Application by: Avant Homes (England) Ltd Midlands Division And Commercial...
Location: Allotments Rear Of 108 To 150 , Russell Drive, Nottingham
Proposal: Approval of reserved matters relating to housing and nature reserve phases for outline planning permission reference 12/01583/POUT varied by application reference 15/03129/PVAR3.

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 any dwelling hereby approved the following shall be submitted to and approved in writing by the Local Planning Authority:-
 - (i) Precise details of all facing materials to be used within each dwelling and garage, the information shall include details of the colour and type of bricks, render, doors, windows and timber detailing to be used, including reveal depths.
 - (ii) Details of the boundary treatment for each plot.
 - (iii) Details of the hard surfacing to be provided to driveways, car parking spaces and footpaths leading to the front doors of each dwelling.

The dwellings shall be provided in accordance with the approved details prior to their first occupation.

Reason: To ensure a development of satisfactory visual appearance to accord with Policy 10 of the Aligned Core Strategy.



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Not for issue

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2. Prior to the commencement of any dwelling hereby approved, details of the boundary enclosure around the perimeter of the site (formed by plots 1 to 18, 18 and 36, 36 to 44, 44 and 47, the pumping station, plot 72 and plots 75 to 80) together with a timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. The boundary enclosure to the site perimeter shall be provided in accordance with the approved details.

Reason: To ensure a development of satisfactory visual appearance to accord with Policy 10 of the Aligned Core Strategy.

3. Prior to the commencement of any dwelling hereby approved, details of finished floor levels and the finished levels of roads including cross section drawings shall be submitted to and approved in writing by the Local Planning Authority. The dwellings, garages and roads shall be provided in accordance with the approved details.

Reason: To ensure a development of satisfactory visual appearance to accord with Policy 10 of the Aligned Core Strategy.

4. Prior to the commencement of any dwelling hereby approved, precise details of the pumping station and substation shall be submitted to and approved in writing by the Local Planning Authority. The information submitted shall include scaled layout and elevational plans of the structures to at least 1:50 scale, their finished floor levels in relation to existing ground levels, street scene plans showing their visual relationship to surrounding development and details of the type, colour and design of external facing materials to be used in their construction, along with a timetable for their provision. The pumping station and substation shall be provided in accordance with the approved details.

Reason: To ensure a development of satisfactory visual appearance to accord with Policy 10 of the Aligned Core Strategy.

5. Prior to the commencement of any dwelling hereby approved, precise details of the street trees to be provided shall be submitted to and approved in writing by the Local Planning Authority. The information shall include details of the type, height, species and location of the proposed trees, the tree pits/trenches and aeration pipes and, a timetable for the implementation of the street tree scheme. The street trees shall be provided in accordance with the approved details.

Reason: To ensure a development of satisfactory visual appearance to accord with Policy 10 of the Aligned Core Strategy.

6. Prior to the commencement of any dwelling, details of the boundary enclosure to be provided to the nature reserve shown on plan No INCLA_N107.102B together with a timetable for its provision shall be submitted to and approved in writing by the Local Planning Authority. The boundary enclosure to the nature reserve shall be provided in accordance with the approved details.

Reason: To secure provision of an appropriate boundary treatment to the new Nature Reserve to accord with Policy 10 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)

7. Prior to the occupation of any dwelling hereby approved, details of hard surfacing to be provided to on-street visitor parking areas, internal road junctions and areas of build out, together with a timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. Hard surfacing shall be provided in accordance with the approved details.

Reason: To ensure a development of satisfactory visual appearance to accord with Policy 10 of the Aligned Core Strategy.

8. Prior to the occupation of any dwelling hereby approved, boundary enclosure and planting shall have been provided to the site boundary with Martin's Pond Nature Reserve in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. The information to be submitted shall include details for the management of public access to the Martin's Pond Nature Reserve from the development site.

Reason: To secure provision of an appropriate boundary treatment and form of access to Martin's Pond Nature Reserve to accord with Policy 10 and Policy 17 of the Aligned Core Strategy.

Regulatory/ongoing conditions

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

9. Any trees, hedging or plants which die, are removed or become seriously damaged or diseased within a period of five years, that have been provided through conditions attached to this reserved matters approval, shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the appearance of the development is satisfactory to comply with Policy 10 of the Aligned Core Strategy.

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 following drawings/documents:
Drawing reference WOLL PL

Reason: To determine the scope of this permission.

Informatives

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

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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.