

Report of Director of Planning and Regeneration

Burrows Court, Windmill Lane, Nottingham

1 Summary

Application No: 17/00648/PFUL3 for planning permission

Application by: CPMG Architects on behalf of Landmark Capital Investment

Proposal: Residential development comprising fifteen houses; apartment block containing forty-one flats. Associated roads, parking and landscaping.

The application is brought to Committee because is recommended for approval with reduced policy compliant planning obligations for viability reasons. Consideration of the application was deferred at the April meeting for detailed information about viability to be circulated to members of the committee.

To meet the Council's Performance Targets this application should have been determined by 22 April 2022; an extension of time has been agreed in principle with the applicant.

2 Recommendation

2.1 To GRANT PLANNING PERMISSION subject to:

(a) Prior completion of a Section 106 Planning Obligation which shall include:

- (i) A financial contribution of £136,234 towards affordable housing;
- (ii) A financial contribution of £27,136 towards open space improvement;
- (iii) A financial contribution of £3,930 towards employment and training;
- (iv) A financial contribution of £14,700 towards education.

(b) The indicative conditions listed in the draft decision notice at the end of this report.

(c) Power to determine the final details of both the terms of the Planning Obligation and the conditions of planning permission to be delegated to the Director of Planning and Regeneration.

2.2 That Committee are satisfied that Regulation 122(2) Community Infrastructure Levy Regulations 2010 is complied with, in that the planning obligations sought are (a) necessary to make the development acceptable in planning terms, (b) directly related to the development and (c) fairly and reasonably related in scale and kind to the development

3 Background

- 3.1 This is the site around Burrows Court, a nineteen-storey tower block built in 1967. The Burrows Court tower block comprises 130 flats, which are occupied; the application site which is the subject of this report surrounds the block. The site slopes generally up from Windmill Lane to the Burrows Court tower and then descends more rapidly to its southern boundary with Rossington Road. The site is accessed by vehicle from Windmill Lane, the access road leading to Burrows Court itself and to a contemporaneous, two-storey car park located to the north of the tower. A public right of way runs through the site from northwest to southeast, connecting Windmill Lane to Rossington Road, a cul-de-sac which in turn leads to the Sneinton Dale local shopping centre. At the southern end of the site, due to the substantial change in level, the route is formed by steps and a ramp which descends to Rossington Road. To the north, west and south the site is bounded by housing, primarily terraces and semi-detached. To the southeast are playing fields associated with the college on Carlton Road and to the northeast is a small industrial estate on Hooton Street.
- 3.2 Planning permission was granted in 2010 for 'Refurbishment of existing residential tower block and car parking with six new apartments and eighteen new houses' (ref. 10/00420/PFUL3). This was not implemented. Planning permission was granted in 2013 for 'External alterations to residential tower block' (ref. 13/02373/PFUL3). This permission has been implemented and the block refurbished. The current application was submitted in 2017 and has been through a number of iterations and some periods of dormancy. The applicants have now indicated that they wish to move forward and have submitted revised drawings, CGI images, a viability report and fresh ecological surveys.
- 3.3 Determination of this application was deferred by Planning Committee at its April 2022 meeting to allow Committee Members to see the details of the Viability Reports related to the scheme and the conclusions of the independent assessor regarding reduced developer contributions. This information has now been circulated.

4 Details of the proposal

- 4.1 Planning permission is sought for residential development comprising fifteen houses, an apartment block containing forty-one flats, associated roads, parking and landscaping.
- 4.2 Thirteen of the proposed houses either face Windmill Lane or are accessed from a shared driveway off that road. Two further houses would be located in the southwest part of the site, accessed from the existing access road leading to the tower block. Nine houses facing Windmill Lane would be three storey at the front and (due to changes in level) two storey at the rear. These houses would be three bed, with lounge, kitchen and bathrooms. Six of the houses would be two storey with two bedrooms. All houses would have one off-street parking space to the front and would have rear gardens. Materials are red brick and dark grey roof tiles.
- 4.3 The existing two storey car park would be retained, containing 107 spaces for use of the flats. The new three storey block of flats would be built on top of the car park and would contain 41 flats, twelve being two bed and twenty-nine being one bed. The building would be flat roofed and constructed of a mix of red and black brick.

- 4.4 The existing, well landscaped areas around the tower block, along the southwest boundary (apart from the two new houses) and in the southeast part of the site are to be retained. These latter areas contain identified badger areas and the applicant has commissioned and submitted badger surveys and mitigation proposals, most recently in September 2021.

5 Consultations and observations of other officers

Adjoining occupiers consulted:

Forty-seven adjoining occupiers on Windmill Lane, Rossington Road, Anstey Rise, Elford Rise, Devon Street, Hooton Street were notified of the application on 13.04.2018, 06.06.2019 and 21.09.2020. A site notice was posted on 06.06.2019 and a press advert published on 18.04.2018 and 12.06.2019.

Sneinton Neighbourhood Forum (although no longer in existence) welcomed the scheme generally expressed concern about the lack of landscaped front gardens for the new houses on Windmill Lane and request that additional planting is introduced. Also that the northeast houses on Windmill Lane present a gable wall and a garden fence to the street, which is not a successful layout. The Nottingham Open Spaces Forum objected to the proposal on grounds of encroachment on to the designated open space network (which is not the case, as the site is adjacent to but not within the open Space Network). Two consultees raised concern about the welfare of badgers on the site. One consultee objects on grounds of increased on-street parking. Two consultees welcomed the proposals as bringing the area back to life.

Additional consultation letters sent to:

Highways: No objection subject to conditions regarding construction traffic management plan, provision of cycle parking and electric vehicle charging scheme.

Lead Local Flood Authority: Sustainable drainage strategy required.

Environmental Health and Safer Places: No objection subject to conditions regarding ground, groundwater and ground gas contamination, environmental noise assessment, sound insulation scheme and electric vehicle charging scheme.

School Organisation Team: No contribution towards education provision is required.

Biodiversity Officer: satisfied that the Badger Mitigation Strategy and Badger Protection Construction Method Statement (BPCMS; CGO Ecology 30th Sept 2021) are sufficient to inform mitigation on the site, subject to appropriate conditions.

6 Relevant policies and guidance

National Planning Policy Framework (2021):

The NPPF advises that there is a presumption in favour of sustainable development and that applications for sustainable development should be approved where possible. Paragraph 126 notes that the creation of high quality buildings and

places is fundamental to what the planning and development process should achieve, and that good design is a key aspect of sustainable development.

Paragraph 130 of the NPPF states that planning policies and decisions should ensure that developments:

- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Aligned Core Strategies (2014):

- Policy 1 - Climate Change
- Policy 8 - Housing Size, Mix and Choice
- Policy 10 - Design and Enhancing Local Identity
- Policy 16 - Green Infrastructure, Parks and Open Space
- Policy 17 - Biodiversity
- Policy 19 – Developer Contributions

Local Plan Part 2 - Land and Planning Policies (2020)

- Policy CC1 - Sustainable Design and Construction
- Policy CC3 - Water
- Policy HO1 - Housing Mix
- Policy HO3 - Affordable Housing
- Policy DE1 - Building Design and Use
- Policy DE2 - Context and Place Making
- Policy EN2 - Open Space in New Development
- Policy EN6 - Biodiversity
- Policy IN4 - Developer Contributions

7. Appraisal of proposed development

Main Issues

- (i) Principle of the Development.
- (ii) Design and Impact on the Streetscene.
- (iii) Amenity Considerations.
- (iv) Planning Obligations.

Issue (i) Principle of the Development (ACS Policy 8 and LAPP Policy HO1)

7.1 Policy 8 of the ACS states that new residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes in order to create sustainable, inclusive and mixed communities, and supports the provision of family housing in Nottingham. This policy is reinforced by LAPP Policy HO1, which seeks the provision of family housing in the city where practicable. A recent Housing Market Assessment has been carried out in Nottingham and has confirmed the need for more housing types, of all tenures, in almost all wards in Nottingham. The site is in a relatively sustainable location, particularly accessible to the tram network. The proposal would provide fifteen family houses, twenty-nine 1-bed flats and twelve 2-bed flats which is considered to be an acceptable mix given the site, the viability of the scheme and current policy considerations. The proposal would accord with ACS Policy 8 and LAPP Policy HO1.

Issue (ii) Design and Impact on the Streetscene (ACS Policy 10 and LAPP Policies DE1 and DE2)

- 7.2 The layout of the development responds well to the site, providing a frontage to Windmill Lane, utilising the existing two storey car park and retaining the well landscaped areas of the site. The combination of proposed dwelling types and detailing will provide an appropriate quality of built finish to the development and the development will have its own identity within the area. The scale of the proposed development is considered to be in keeping with the area
- 7.3 The new houses are to a common architecture, constructed in red brick with well-proportioned openings, bays, juliet balconies, good quality detailing and features. Revisions to the scheme have ensured that the parking spaces and access to the front of the Windmill Lane will be surfaced with varied materials and that there is clear landscaping between each plot. The northeastern house on Windmill Lane has been provided with a brick boundary wall and a bay to the side to provide interest and casual surveillance of the street. Planning conditions proposed would ensure that all these features are sufficiently detailed and of quality.
- 7.4 The three storey flats building would be constructed on the existing, dated car park, improving the overall appearance of the site. The building is considered to have sufficient quality in terms of its varied elevations, red and black brick, juliet balconies and window pattern. Cladding of the car park walls, including green walls, will again improve the overall appearance. The northeastern elevation of the flats building faces an adjacent industrial estate but its elevation renders that relationship acceptable.
- 7.5 In terms of design and impact on the streetscene, the proposal would accord with ACS Policy 10 and LAPP Policies DE1 and DE2.

Issue (iii) Amenity Considerations (ACS Policy 10 and LAPP Policy DE1)

- 7.6 The houses and apartments would provide a good standard of occupation for occupiers and the accommodation complies with the Nationally Described Space Standards. The nature of the area has been considered and the relationship that the development would have with adjacent properties is considered to be acceptable. The proposal accords with ACS Policy 10 and LAPP Policy DE1.

Issue (iv) Planning Obligations (ACS Policies 8, 16 and 19 and LAPP Policies EN2, HO3 and IN4)

- 7.7 A policy compliant planning obligation for the proposed development would be expected to provide a total contribution of £592,916 comprising affordable housing (£491,422), open space enhancement (£97,564), employment and training (£3,930) and education (£49,146).

The applicants have submitted a viability appraisal which has been independently appraised by CP Viability on the Council's behalf. CP Viability conclude that the development is technically unviable and that it is justifiable to reduce the contributions to allow the development to be delivered. Therefore a contribution of £182,000 comprising affordable housing (£136,234), open space enhancement (£27,136), employment and training (£3,930) and education (£14,700) has been sought via a section106 agreement. The proposal is considered to accord with ACS Policies 8 and 19 and LAPP Policies EN2 and IN4. The proposed obligations accord with planning policy and are therefore reasonable, meeting the tests of Regulation 122(2) of the Community Infrastructure Levy Regulations 2010.

8. Sustainability / Biodiversity

- 8.1 Whilst the development does not incorporate on site renewable energy generation, the dwellings will comply with the building regulations in relation to energy efficiency and performance. Electric vehicle charging points are to be secured by condition, and cycle storage is to be provided, and a travel plan is also sought by condition to promote more sustainable travel choices. These measures are considered sufficient to satisfy the requirements of Policy 1 of the ACS and Policy CC1 of the LAPP.
- 8.2 The application includes measures for the enhancement of biodiversity, including additional planting of native species, protection of existing areas which provide wildlife habitats and provision of twenty bird boxes and twenty bat boxes. The ecological appraisals submitted with the application note that further bat survey will need to be carried out between May and August. These measures can be achieved by the suggested conditions and the proposal is therefore in accordance with Policy 17 of the ACS and Policy EN6 of the LAPP.

9 Financial Implications

As noted above, a policy compliant planning obligation for the proposed development would be expected to provide a contribution of £592,916 in lieu of on-site provision of affordable housing, enhancement of existing areas of open space, facilitating local employment and training and toward secondary education. A viability appraisal has concluded that it is justifiable for a reduced contribution to be made.

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: Providing a high quality and sustainable development.

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: 17/00648/PFUL3- link to online case file:

<https://publicaccess.nottinghamcity.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

17 Published documents referred to in compiling this report

Nottingham Local Plan (January 2020)

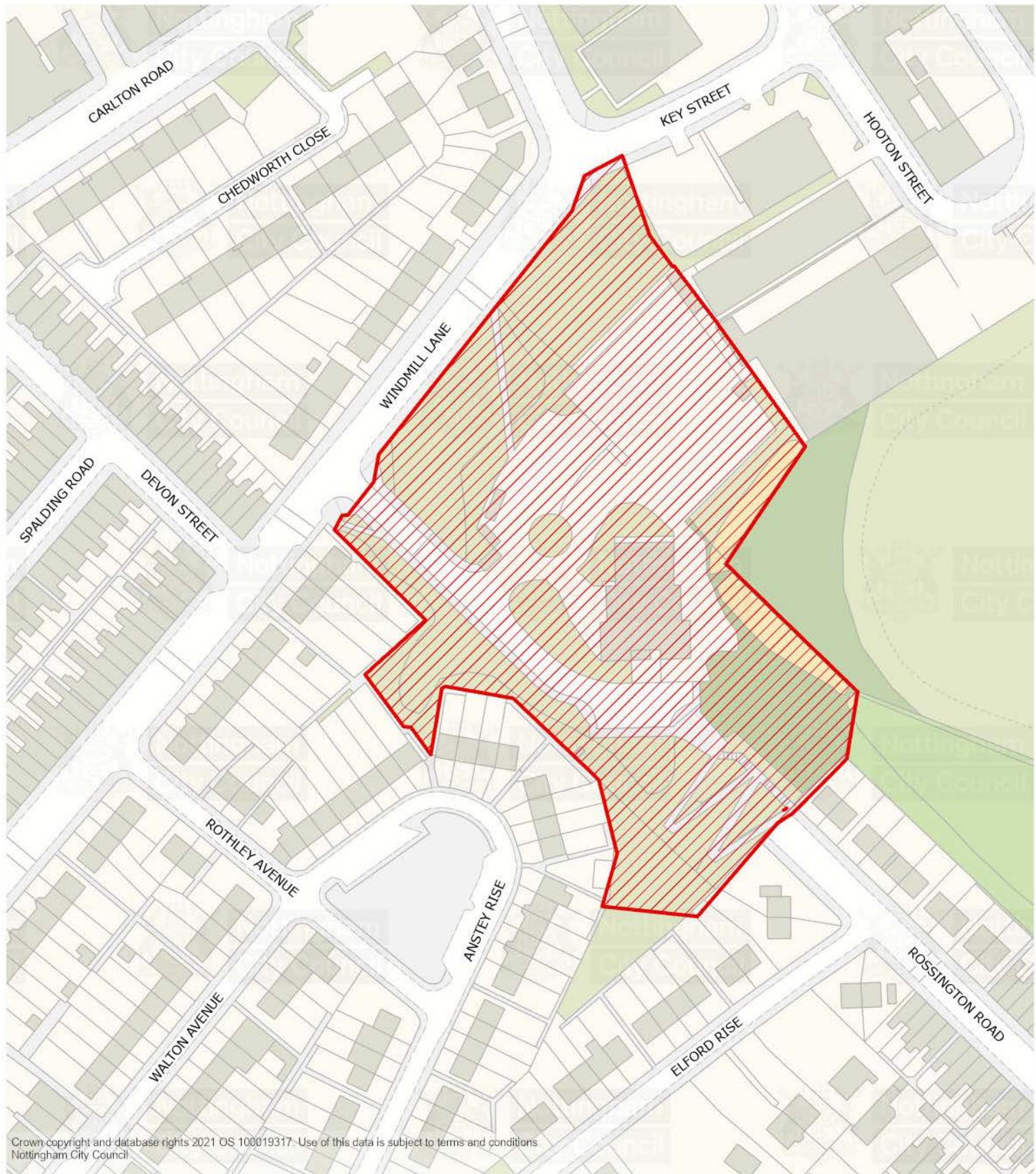
Aligned Core Strategies (September 2014)

NPPF (2021)

Contact Officer:

Mr Phil Shaw, Case Officer, Development Management.

Email: philip.shaw@nottinghamcity.gov.uk. Telephone: 0115 8764076



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Key

- City Boundary
- Planning Applications - Polygons

Description

Burrows Court



Nottingham
City Council

My Ref: 17/00648/PFUL3 (PP-05602317)

Your Ref:

Contact: Mr Phil Shaw

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

CPMG Architects
FAO: Mr Ashley Stanworth
11-23 Warser Gate
Nottingham
NG1 1NU

Date of decision:

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

Application No: 17/00648/PFUL3 (PP-05602317)

Application by: Mr Nicholas Murphy

Location: Burrows Court , Windmill Lane, Nottingham

Proposal: Residential development comprising fifteen houses; apartment block containing forty-one flats. Associated roads, parking and landscaping.

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

Time limit

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

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

Pre-commencement conditions

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

2. The development shall not be commenced until details of the following have been submitted to and approved in writing by the Local Planning Authority (relating to design and appearance):
- a) the external materials of all new buildings, retaining walls, steps and ramps;
 - b) the external materials for the cladding and green walling of the existing car park;
 - c) hard surfacing;
 - d) enclosure and gates;
 - e) design, appearance and materials of bin stores.

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

Reason: To ensure that the appearance of the development is satisfactory, in the interests of the living conditions of future and neighbouring occupiers and in the interests of sustainable development in accordance with Policies 1 and 10 of the Aligned Core Strategies and Policies DE1, DE2, CC1 and CC3 of the Local Plan Part 2.

3. The development shall not be commenced until details of the following have been submitted to and approved in writing by the Local Planning Authority (relating to highway and transport):
- a) a Construction Traffic Management Plan including a construction traffic routing agreement;
 - b) methods to be undertaken during the construction period to prevent the deposit of mud and other similar debris on the adjacent public highway;
 - c) for the new private vehicular access off Windmill Lane serving four dwellings details related to the layout geometry with tracking, signing, lining and alterations, 'Swept Path Analysis' and visibility splays;
 - d) an electric vehicle charging scheme at 100% per parking space for individual dwellings and 10% per parking space for flats;
 - e) a Travel Plan for flats development, including travel packs for each of the new residents of the apartments and a noticeboard in the apartment communal area detailing information on cycle parking for residents, nearest bus stops, services and provisions as well as other sustainable transport information.

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

Reason: In the interests of highway safety, the living conditions of future and neighbouring occupiers and sustainable development in accordance with Policies 1 and 10 of the Aligned Core Strategies and Policies DE1, DE2, and CC1 of the Local Plan Part 2.

4. The development shall not be commenced until details of the following have been submitted to and approved in writing by the Local Planning Authority (relating to drainage):

A drainage strategy to include;

- Details of how the surface water run-off will be managed,
- Drainage plan showing the layout of the proposed drainage (both foul and surface water),
- Proposed Adoption of SuDS features (who will maintain the SuDS features),
- Maintenance plan for the lifetime of the development (how will the SuDS features be maintained),
- Relevant surface water calculations from licenced software.

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

Reason: In the interests of sustainable development in accordance with Policy 1 of the Aligned Core Strategies and Policy CC3 of the Local Plan Part 2.

5. The development shall not be commenced until details of the following have been submitted to and approved in writing by the Local Planning Authority (relating to biodiversity):

- a) landscaping and planting scheme indicating the type, height, species and location of all new trees and shrubs, comprising native species and plants attractive to pollinators and including a native species-rich hedgerow along the badger security fence line,;
- b) the provision of a minimum of twenty bat and twenty bird boxes, appropriately spread throughout the development;
- c) the design and appearance of the green wall on the existing car park, including a planting plan (utilising native species and those otherwise of an accepted value for wildlife such as suitable for pollinators, seed, nut and berry producing species) and a future management plan;
- d) a lighting plan for the development (there is a need to avoid external lighting along the eastern aspect of the Phase 1 tower block, or where this is unavoidable, to include only low level bollard lighting);
- e) an updated walkover survey to ensure that there have been no significant changes to the sett (such as new entrances or tunnels) that may need to be reflected in an updated Badger Protection Construction Method Statement;
- f) three dusk emergence and dawn re-entry bat surveys will be necessary in the May-Aug period (Apr-Sep if mild weather allows), in accordance with the Updated Preliminary Ecological Appraisal (CGO Ecology Ltd, July 2019).
- g) an Arboricultural Method Statement which 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.

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

Reason: In the interests of biodiversity and sustainable development in accordance with Policies 1 and 17 of the Aligned Core Strategies and Policies DE1 and EN6 of the Local Plan Part 2.

6. The development shall be carried out in accordance with the details in Section 3 (Construction Method Statement) of the Badger Protection Construction Method Statement (CGO Ecology Ltd, Sept. 2021).

Reason: In the interests of biodiversity in accordance with Policy 17 of the Aligned Core Strategies and Policy EN6 of the Local Plan Part 2.

Pre-occupation conditions

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

7. No dwelling unit shall be occupied until the following have been carried out in accordance with the approved details:
 - a) the vehicle and cycle parking spaces have been provided;
 - b) bin storage has been provided;
 - c) the bat and bird boxes have been provided;
 - d) the scheme of sustainable drainage has been implemented;
 - e) the electric vehicle charging scheme has been implemented;
 - f) the existing car park walls have been clad and green walled.

Reason: In the interests of the living conditions of future and neighbouring occupiers, in the interests of biodiversity and in the interests of sustainable development in accordance with Policies 1, 10 and 17 of the Aligned Core Strategies and Policies DE2, EN6, CC1 and CC3 of the Local Plan Part 2.

8. The approved landscaping scheme shall be carried out in the first planting and seeding seasons following the occupation of the dwellings or the completion of the development whichever is the sooner; and any trees or plants which die, are removed or become seriously damaged or diseased within a period of five years shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the appearance of the development is satisfactory and in the interests of biodiversity in accordance with Policies 10 and 17 of the Aligned Core Strategies and Policies DE1, DE2 and EN6 of the Land and Planning Policies - Local Plan Part 2.

Regulatory/ongoing conditions

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

9. Notwithstanding any details or notes in the application documents stating or implying otherwise, the dwelling(s) hereby permitted shall be designed and constructed to meet the optional water efficiency requirement of 110 Litres per person per day as specified by Part G of Schedule 1 and regulation 36 (2) (b) of the Building Regulations 2010 (as amended).

Reason: to ensure efficient use of water resources in the interests of sustainability, to comply with Policy CC1 of the Nottingham Local Plan.

(Note: This condition affects the requirements of the Building Regulations that apply to this development. You must ensure that the building control body responsible for supervising the work is informed of this condition).

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 8 July 2019.

Reason: To determine the scope of this permission.

Informatics

1. This permission is valid only for the purposes of Part III of the Town & Country Planning Act 1990. It does not remove the need to obtain any other consents that may be necessary, nor does it imply that such other consents will necessarily be forthcoming. It does not override any restrictions contained in the deeds to the property or the rights of neighbours. You are advised to check what other restrictions there are and what other consents may be needed, for example from the landowner, statutory bodies and neighbours. This permission is not an approval under the Building Regulations.

2. The reason for this decision, and a summary of the policies the local planning authority has had regard to are set out in the committee report, enclosed herewith and forming part of this decision.

3. Highways

1. CTMP and mud on road

It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway. If the development works will have any impact on the public highway, please contact Highway Network Management highway.management@nottinghamcity.gov.uk 0115 8765293. A Construction Traffic Management Plan will be required. All associated costs will be the responsibility of the developer.

2. Highway licences

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 highway.management@nottinghamcity.gov.uk 0115 8765293. All costs shall be borne by the applicant.

3. S278

Planning consent is not consent to work on the highway. To carry out off-site works associated with the submission, approval must first be obtained from the Highway Authority. Approval will take the form of a Section 278 Agreement. All associated costs will be borne by the developer. Please contact Highways Network Management highway.management@nottinghamcity.gov.uk 0115 8765293.

4. Commuted sums

The Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway.

All trees to be planted on highway will be subject to commuted sum payments for their maintenance. The commuted sum for a street tree is £938.61 per tree. Trees that will have a dual purpose as use for drainage will incur greater costs. For further information regarding the collection of commuted sums the applicant should contact Network Management on 0115 8765293.

5. Cycle Parking

For information on cycle parking including stands and cycle maps please
CyclingTeam@nottinghamcity.gov.uk

6. Traffic Regulation Orders (TROs)

Prior to occupation of the consented development, it is necessary to amend and introduce Traffic Regulation Orders. This is a separate legal process and the Order can be made on behalf of the developer by Nottingham City Council at the applicant's expense. It is strongly recommended that you make contact at the earliest opportunity to allow time for the process to be completed; please

contact Highways Network Management on 0115 8765293 to instigate the process. For TRO advice and further information the applicant is advised to contact Scott Harrison on 0115 8765245. TRO assessments are required to support the development. For TRO advice and further information the applicant is advised to contact Scott Harrison on 0115 8765245.

7. Electric Vehicle Charging points (EVCPs)

Please contact Rasita Chudasama 0115 8763938 Rasita.Chudasama@nottinghamcity.gov.uk to seek advice on the electric vehicle charging points (EVCP).

8. Sustainable Transport

The applicant is to provide sustainable travel packs to promote the use of cycling, walking and public transport use.

Advice and information as to what the Travel Packs need to contain as well as the notice board information, the applicant should contact James Ashton on 0115 8763093 or James.Ashton@nottinghamcity.gov.uk

4. Drainage

All developments must consider the use of Sustainable Drainage Systems (SuDS) within their application, and should prioritise incorporating rainwater re-use. For water that cannot be reused, the building regulations hierarchy for the disposal of surface water must be followed. If the proposals do not include SuDS, then we require robust evidence for the justification to do so. We will require a minimum of a 30% betterment on the surface-water discharge rate, compared to the site's previous use. This must be supported by the relevant calculations and drainage strategy, and if infiltration is deemed a feasible method for this site, we will need to see evidence of the appropriate infiltration testing (BRE365). There are some surface water issues in the area. The applicant needs to demonstrate that this site will be safe and mitigates surface water risk to the site and third parties.

5. Nottingham City Council Energy Services can offer support to help your business move to a more sustainable low carbon future, for more information please visit: <https://www.energyservices-ncc.co.uk/> or email energyservices@nottinghamcity.gov.uk

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: 17/00648/PFUL3 (PP-05602317)

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.

STREET NAMING AND NUMBERING

Nottingham City Council has a statutory responsibility for agreeing and registering addresses. If the development will create one or more new addresses or streets (for example a new build or conversion) please contact address.management@nottinghamcity.gov.uk as soon as possible,



DRAFT ONLY¹⁵
Not for issue

Continued...

quoting your planning application reference. Any addresses assigned outside of this process will not be officially recognised and may result in difficulties with service delivery.



DRAFT¹⁶ ONLY
Not for issue

Continued...