

Report of Director of Planning and Transport

Site of Garages South Of 140 Birkin Avenue

1 Summary

Application No:	22/01954/PFUL3for planning permission
Application by:	Allan Joyce Architects Ltd on behalf of Framework Housing Association
Proposal:	Residential development of two and three storey building containing 8 one bedroom one person apartments.

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

To meet the Council's Performance Targets this application should have been determined by 29th November 2022.

2 Recommendation

- 2.1 To **GRANT PLANNING PERMISSION** subject to the indicative conditions substantially in the form of those listed in the draft decision notice at the end of this report.

Power to determine the final details of the conditions of planning permission to be delegated to the Director of Planning and Regeneration.

3 Background

- 3.1 The site is a piece of land on the corner of Gregory Boulevard and Birkin Avenue. The site comprises partly an undeveloped area accessed from Birkin Avenue which has been informally used for car parking by the nearby health centre and which is enclosed by substantial timber fencing and, until recently, advert hoardings. Between this and Gregory Boulevard is a grassed area enclosed by a timber knee rail. To the north, west and east are houses and across Gregory Boulevard to the south are shops.
- 3.2 Outline planning permission was granted in March 2022 for 'Residential development comprising 4 no semi-detached family houses' (ref. 22/00095/POUT).

4 Details of the proposal

- 4.1 Planning permission is sought for a two and three storey, pitched roof building providing eight one-bed flats. The applicant, Framework Housing Association, have confirmed that the proposed flats would be occupied within Use Class C3 of the Use Classes Order and would provide living accommodation for single people partly

replacing existing Framework properties in the immediate area where residents have to share bathrooms and kitchens. Some of these previously shared properties would then be released for use by homeless families. There would be no on-site staffing and no direct care would be provided.

- 4.2 The proposed building as it faces Gregory Boulevard would be three storeys of red brick, with brickwork detailing, a gabled roof and two storey bays. The building as it faces Birkin Avenue would be two storeys, also with a pitched roof and also of brick. The building entrance would be on Birkin Avenue. Externally, bin and cycle storage is proposed to the rear of the building. 2.5m high close board fencing is proposed on the north and east boundaries (providing security and sound attenuation), as well as adjacent to the building but set back from the Gregory Boulevard boundary. The Birkin Avenue boundary would comprise a 0.9m high metal railing.

5 Consultations and observations of other officers

Adjoining occupiers consulted:

Adjoining occupiers on Premier Road, Leslie Road and Gregory Boulevard were notified of the application on 27.04.2021. Following the receipt of revised plans and additional information regarding the proposed use, residents were renotified on 09.08.2021, with the number of letters sent being increased to include the whole of Premier Road.

Representations have been received from the occupiers of twelve properties on Premier Road, objecting to the proposal for the following reasons:

- Most objectors state that a Freedom of Information request from the City Council in 2021 showed that Hyson Green and Arboretum Ward has almost three times as many Framework properties as any other ward (Basford 8, Berridge 27, Bestwood 16, Bilborough 8, Castle 13, Clifton East 5, Dales 33, Hyson Green and Arboretum 90, Lenton and Wollaton East 3, Mapperley 23, Meadows 1, Radford 7, Sherwood 4, St Anns 24). It is noted that the applicants Framework have contested these figures.
- Hyson Green is an area with high levels of deprivation and some significant social problems. It already has a disproportionate number of Framework properties. This is unfair and unhelpful to both local residents and potential service users with complex needs.
- Difficult for people to address their alcohol and/or drug problems in an area where there is entrenched street drinking and visible drug dealing. Placing vulnerable people with complex needs in an area with high crime rates will only put them further at risk and will be detrimental to their recovery.
- Higher numbers of social housing properties, HMOs, etc places greater pressure on public services such as GPs in the Mary Potter Centre.
- ASB resulting from some Framework tenants already has a detrimental impact on the local community. Police at community meetings have confirmed that most of the ASB outside Asda in Hyson Green is caused by Framework tenants. Again, the applicants Framework have noted that this comment is hearsay rather than evidenced.

- It is noted by the Planning Officer that most of the objectors state that they support the work of Framework but consider this location in Hyson Green to be inappropriate.

Nottingham Civic Society supports the proposed development on a prominent corner site in Hyson Green. The scheme's design which will make a positive contribution to the appearance of the streetscene. The new building take references from the nearby traditional terraces with prominent bay windows but interprets the design in a modern idiom.

Additional consultation letters sent to:

Environmental Health and Safer Places: no objection subject to conditions regarding environmental noise assessment and sound insulation and verification of contaminated land mitigation.

Highways: no objection.

Flood Risk Management: no objection following receipt of additional information regarding the drainage strategy.

Planning Policy: no objection. Policies HO1 and HO4 of the Local Plan have been satisfactorily addressed by the applicants.

Housing & Regeneration: this form of accommodation is the recognised best model for supporting rough sleepers and the single homelessness. From a Strategic Homelessness Perspective these flats are important in delivering the Council's objectives and obligations for rough sleepers.

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 17 - Biodiversity

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

- Policy CC1 - Sustainable Design and Construction
- Policy CC3 – Water.
- Policy HO1 - Housing Mix
- Policy HO4 - Specialist and Adaptable Housing
- Policy DE1 - Building Design and Use
- Policy DE2 - Context and Place Making
- Policy EN6 – Biodiversity
- Policy IN2 - Land Contamination, Instability and Pollution

7. Appraisal of proposed development

Main Issues

- (i) Principle of the Development.
- (ii) Design and Impact on the Streetscene.
- (iii) Impact on Residential Amenity.

Issue (i) Principle of the Development (ACS Policy 8 and LAPP Policies HO1 and HO4)

- 7.1 The applicants have confirmed their belief that the flats would be occupied within Use Class C3 of the Use Classes Order (that is, use as a dwellinghouse by a single person). They point to individual tenancies, independent living and a low level of support. It is noted that Class C3 allows for a level of support to be provided for occupiers of a house or flat (for example, social care provided to allow an elderly person to live in their own home). This is accepted, the proposed units comply with the Nationally Described Space Standards, and there is no reason why the flats could not be occupied as a 'stand-alone' unit of accommodation. Planning permission is sought for C3 use and so it would be granted on this basis, and any alternative use, such as a hostel or house in multiple occupation, would require separate planning permission.
- 7.2 It is accepted that there is a need for more housing types, of all tenures, in almost all wards in Nottingham; this includes affordable/social one bedroom self-contained homes, the need for which is presented in both the council's Housing Strategy and the city's Homelessness Prevention and Rough Sleeping Strategy. Supporting people into independent, settled accommodation is a key feature of the strategic

approach to rough sleeping and single homelessness, providing a transition from supported accommodation to fully independent living. An identified need exists for one bedroom self-contained residential accommodation within Class C3, particularly of a type which Registered Providers such as the applicant do provide to help the council deliver and meet local need. As the flats are considered to be within Class C3, the proposal itself is considered to comply with Policy HO1 and the council's Housing Strategy and therefore acceptable in principle.

- 7.3 Planning permission was granted for 4 no semi-detached family houses in 2022. Policy HO1 expresses a general preference for family housing. The applicant notes that the site was marketed with outline planning permission for family houses but is understood not to have attracted any offers. They note the increased level of land remediation required for family housing, which would affect viability. This is accepted. Policy HO1 also states that in assessing suitability for family housing other criteria will be taken into account (whether the alternative development would fulfil other regeneration aspirations and whether local evidence of housing need and demand indicates that an alternative mix of housing is appropriate). In this case, it is accepted that these criteria are met and that the proposal complies with Policy HO1.

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

- 7.4 The proposed building is considered to be visually acceptable. The scale of the building, the bays, window proportions, chimneys etc reflect the surrounding area, as noted by the Civic Society. Materials (red brick and slate) and detailing (brick and render) are appropriate. Railings is an acceptable treatment for the front boundary. The proposal is therefore considered to comply with ACS Policy 10 and LAPP Policies DE1 and DE2.

Issue (iii) Impact on Residential Amenity (ACS Policy 10 and LAPP Policies DE1 and DE2)

- 7.5 The relationship between the proposed building and the adjacent properties is considered to be acceptable. The neighbouring houses on both Birkin Avenue and Gregory Boulevard and the flats on Pleasant Row present blank gables to the application site. It is not considered that the proposed flats would lead to noise nuisance any more than other residential properties. The proposal does not provide any off-street parking spaces for residents. It is noted, however, that this is a very sustainable location close to bus stops, to the tram network, to the Forest park and ride site and to shops and other facilities. There is no Highway objection.
- 7.6 The objectors point that a Freedom of Information request from the City Council in 2021 shows that Hyson Green and Arboretum Ward has almost three times as many Framework properties as any other ward is noted, as is Framework's contention that this is not the case. Nevertheless, these are Class C3 flats and cannot be compared in policy terms to hostels and houses in multiple occupation. Framework and the Council's housing teams note that the 'housing first' model being used here is intended to reduce the number of houses in multiple occupation operated by registered housing providers. This model of housing provision – of individual flats – can be seen as part of an aim to reduce anti-social behaviour and deprivation. It is accepted that additional housing of any kind potentially places greater pressure on public services such as GPs, although for a development of this scale it is not considered that the additional residents would place

unreasonable or excessive demands on GP services. It is also noted that NHS funding is made available locally taking into account various factors, including population growth in an area. In any case, provision of good quality accommodation for rough sleepers and the homeless is most likely to reduce such pressure.

- 7.7 The proposal is therefore considered to comply with ACS Policy 10 and LAPP Policies DE1 and DE2.

8. Sustainability / Biodiversity

- 8.1 As part of the design of the scheme the existing street trees on Gregory Boulevard are retained and their root protection areas are protected during construction to minimise the impact of the works. Whilst some clearance of planting is required for construction there is a net increase in the amount of green space on the site as part of the development reducing surface water run-off.
- 8.2 SUDs planters and surface water attenuation are provided as part of the drainage design to further reduce the amount of surface water entering the mains drainage system. All paving within the site is designed to be permeable except to refuse bin hardstanding areas.
- 8.3 The application notes that the presence of an existing drain easement and the proposed surface water attenuation limit the scope for planting on the site but it is nevertheless the case that an acceptable level of landscaping, using native species beneficial to biodiversity, can be achieved by condition.
- 8.4 The building fabric has been designed to exceed the requirements of Building Regulations Part L1A 2021 to retain heat and reduce the heating load and running costs for residents. Units are designed to achieve a Design Emission Rate of 50%, or less, of the Target Emission Rate, this equates to a total annual reduction in CO2 emissions of 53% (2.36 tonnes CO2/year) when compared with Part L1 2021.
- 8.5 All space and water heating will be by electricity. To reduce carbon emissions and running costs for residents, two photovoltaic panels per unit are proposed on the south facing roof slope onto Gregory Boulevard. These will be grid connected to export surplus electricity.
- 8.6 Lower water consumption is to be secured by condition.
- 8.7 It is considered that this is sufficient to satisfy the requirements of Policies 1 and 17 of the Aligned Core Strategies and Policies CC1 and CC3 of the Nottingham Local Plan.

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

Strategic Council Plan 2021-23 Outcome Nine: Better Housing - increasing the number of homes for the homeless and aiming to provide settled homes for homeless people and work towards no rough sleeping in the city.

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: 21/00726/PFUL3 - link to online case file:

<http://publicaccess.nottinghamcity.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QQTKPFLYKIG00>

17 Published documents referred to in compiling this report

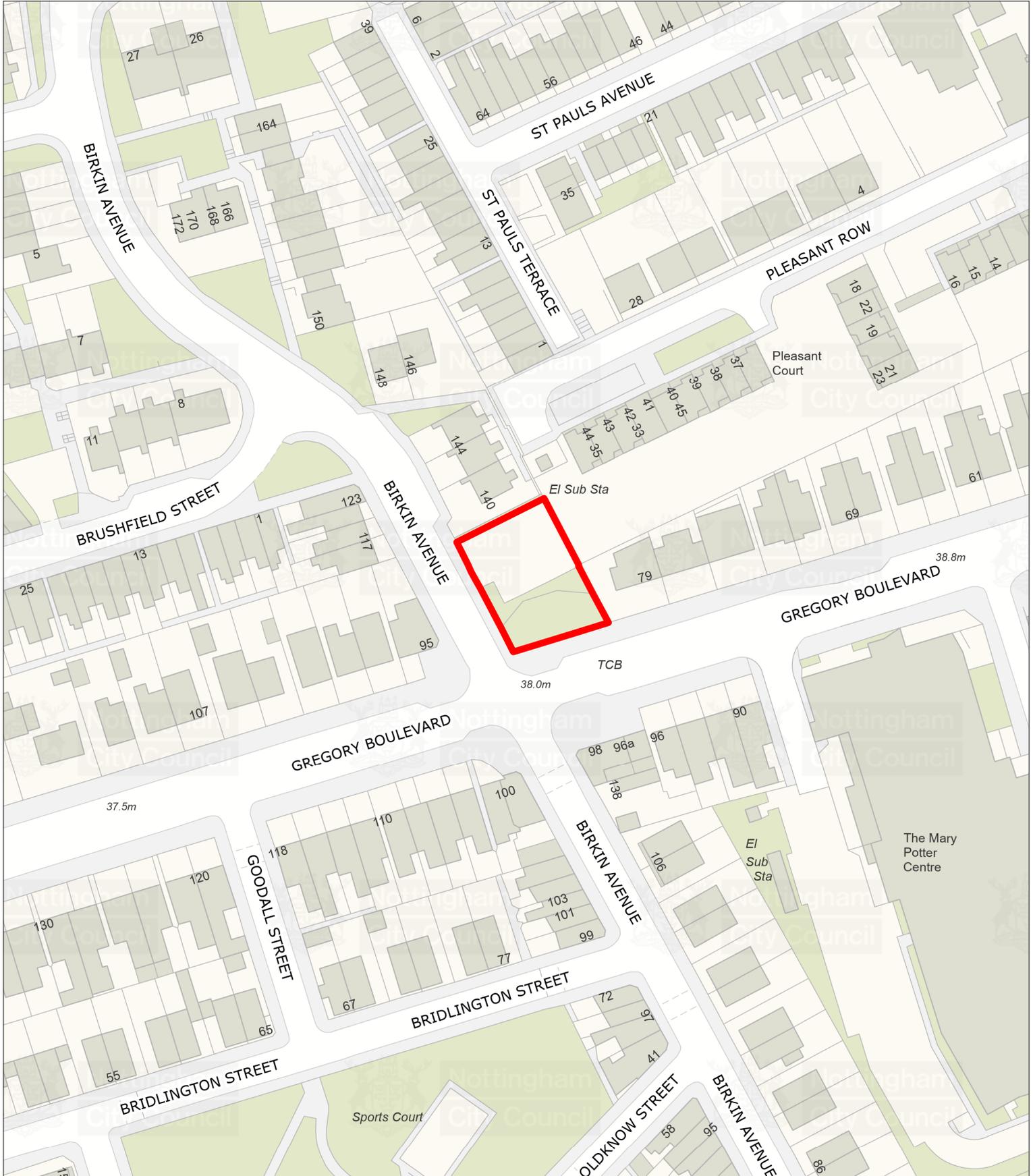
Nottingham Local Plan Part 2 (January 2020)
Aligned Core Strategies (September 2014)
NPPF (2021)

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

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Description

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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

Allan Joyce Architects Ltd
16-20 Bath Street
Nottingham
NG1 1DF
United Kingdom

Date of decision:

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

Application No: 22/01954/PFUL3 (PP-11576041)
Application by: Framework Housing Association
Location: Site Of Garages South Of 140, Birkin Avenue, Nottingham
Proposal: Residential development of two and three storey building containing 8 one bedroom one person apartments.

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:
 - a) the external materials of the new building;
 - b) the design, appearance and materials of the hard surfacing within the site;
 - c) the design, appearance and materials of the enclosures around and within the site;
 - d) the design, appearance and materials of the cycle store.

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

Reason: To ensure that the appearance of the development is acceptable in accordance with Policy 10 of the Aligned Core Strategies and Policies DE1 and DE2 of the Local Plan.

3. No groundworks shall commence until protection of the adjacent lime tree has been put in



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place in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure protection of the adjacent street tree in accordance Policy EN7 of the Local Plan.

Pre-occupation conditions

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

4. A landscaping and planting scheme shall be provided for the development. In particular:
- a) no dwelling shall be occupied until a detailed landscaping scheme indicating the type, height, species and location of all new trees and shrubs, comprising native species and plants attractive to pollinators, has been submitted to and approved in writing by the Local Planning Authority;
 - b) 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
 - c) 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 Local Plan.

5. No dwelling shall be occupied until the following have been submitted to and approved in writing by the Local Planning Authority:

a) verification that the approved sound insulation and ventilation scheme as prescribed within the Noise Impact Assessment by Nova Acoustics limited, dated August 2022, referenced 8180FH, version 2 has been implemented and is fully operational;

b) a Verification Report based on the detailed mitigation measures prescribed within the Phase I & II Geo-Environmental Assessment report by Erda associates limited, dated September 2022, Project Ref: EAL.88.22 , which shall include the data referred to in the Verification Plan, demonstrating that the approved Remediation Strategy to deal with ground contamination of the site has been fully implemented and completed.

Reason: In the interests of public health and safety and in the interests of the living conditions of future occupiers in accordance with Policy 10 of the Aligned Core Strategies and Policies DE1 and IN2 of the Local Plan.

Regulatory/ongoing conditions

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

6. 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 4 October 2022.

Reason: To determine the scope of this permission.

Informatives

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. Environmental Noise Assessment

The environmental noise assessment shall be suitable and sufficient, where appropriate shall consider the impact of vibration, and shall be undertaken by a competent person having regard to BS 7445: 2003 Description and Measurement of Environmental Noise and any other appropriate British Standards. The internal noise levels referred to are derived from BS 8233: 2014 Sound Insulation and Noise Reduction for Buildings.

Verification that the approved sound insulation and ventilation scheme has been implemented shall include;

- The specification and acoustic data sheets for glazed areas of the development and any complementary acoustic ventilation scheme
- example photographs of the products eg glazing and ventilation units in situ (prior to identifying labels being removed)
- photographs, drawings (and where applicable) product data sheets of any other sound insulation measures eg floor joists, floating floors, independent acoustic ceilings or walls etc

The approved sound insulation and ventilation scheme must be maintained &, in the case of mechanical ventilation, must be maintained, serviced and operated in accordance with manufacturer's recommendations.

4. Contaminated Land & Groundwater

The Remediation Strategy (including its component elements) must be undertaken and implemented in accordance with the Environment Agency's Land Contamination Risk Management guidance published at <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>, CIRIA C735 Good Practice on the Testing & Verification of Protection Systems for Buildings Against Hazardous Ground Gases (2014)' 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
- How compliance with the requirements of the Nottingham City Council - Guidance on Cover Layers & Verification Testing 2019 will be achieved



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- 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.

5. Highways

1. Demolition & construction traffic management plan

Prior to the commencement of development, a demolition & construction traffic management plan shall be submitted to and agreed in writing with the LPA. Provision shall be made to accommodate all site operatives, visitors and demolition/construction vehicles loading, offloading, within the site during the demolition & construction period. Vehicles delivering to the site cannot be permitted to wait/park on the public highway. The Demolition/ Construction Traffic Management Plan shall also include a demolition/construction traffic routing agreement and strategy for managing mud or similar debris on the adjacent public highways.

2. Off-site highway works

No part of the development hereby permitted shall be brought into use until all damaged or altered areas of footway or other adopted highway have been restored to the satisfaction of the City Council as local planning authority. This is to be secured through a Section 278 Agreement. Reason: In the interests of highway safety.

3. Residential Welcome Travel Packs

Travel packs MUST be provided to each new household within the development, as well as notice boards placed in any communal areas, promoting sustainable forms of transport to occupants (for the life of the development). Reasons: This is in accordance with Policy T1 of Nottingham City Council Development Plan LPP2 (Jan 2020) and Nottingham City Councils Carbon Neutral Action Plan. To obtain further information on expectations please email HighwaysDM@nottinghamcity.gov.uk.

4. Mud on the road

The applicant should provide a Demolition/Construction Traffic Management Plan as per condition above. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring. If the development works will have any impact on the public highway, please contact Highway Network Management by email HighwayApprovals@nottinghamcity.gov.uk. All associated costs will be the responsibility of the developer.

5. Section 278 agreement - highway works

Planning consent is not consent to work on the highway. To carry out off-site works associated with the planning consent, approval must first be obtained from the Local Highway Authority. Approval will take the form of a Section 278 Agreement and you should contact the Technical Services Team at highway.agreements@nottinghamcity.gov.uk to initiate the process. It is strongly recommended that you make contact at the earliest opportunity to allow time for the process to be completed as you will not be permitted to work on the Highway before it is complete. All associated costs will be borne by the developer. We 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.

6. Residents Parking Permit Schemes

New occupants of the development must be made aware that they will not qualify for a permit to park in the existing on-street residents parking scheme.

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: 22/01954/PFUL3 (PP-11576041)

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.

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,



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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.



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