

REPORT OF CHIEF PLANNER

William Olds Youth Centre , 84 Chiltern Way

1 SUMMARY

Application No: 18/00143/POUT for outline planning permission

Application by: Tang And Associates Ltd - Chartered Architects on behalf of LCAM (Nottingham) Ltd. Mr M Aggarwal

Proposal: Demolition of building and erection of 23 three storey dwellings with associated car parking. (Details of access, appearance, layout and scale submitted for approval with landscaping reserved)

The application is brought to Committee at the request of Local Ward Councillors.

To meet the Council's Performance Targets this application should have been determined by 23rd July 2018 but an extension of time has been agreed until 28th February 2019.

2 RECOMMENDATIONS

2.1 GRANT PLANNING PERMISSION subject to:

a) The prior completion of an agreement under section 106 of the Town and Country Planning Act 1990 to include:-

- (i) a financial contribution towards off-site public open space and
- (ii) a financial contribution towards education provision

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

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

2.3 That Committee are satisfied that Regulation 122(2) Community Infrastructure Levy Regulations 2010 is complied with, in that the planning obligation sought is (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.

2.4 That Committee are satisfied that the planning obligation(s) sought that relate to infrastructure would not exceed the permissible number of obligations in accordance with Regulation 123(3) of the Community Infrastructure Levy Regulations 2010.

3 BACKGROUND

- 3.1 The application relates to the site of the former William Olds Youth Club on Chiltern Way. The site is located on the east side of Chiltern Way and is bounded by Sandy Banks Local Nature Reserve to the north, east and south. The west side of Chiltern Way is residential in character comprising two storey semi-detached and terraced houses. The former youth club building remains on site, standing at the north eastern corner, with a grassed area to the south and a hard surfaced car park to the west. The site is enclosed by palisade fencing around its perimeter as well as some hedging along the Chiltern Way frontage.
- 3.2 The site is currently owned by Nottingham City Council but has been declared surplus and has been vacant for more than 2 years. The Council is in the process of disposing of the land.

4 DETAILS OF THE PROPOSAL

- 4.1 The application seeks outline planning permission for 23 houses on the site following the demolition of the existing building. Approval of the access, appearance, layout and scale are sought now, with landscaping details reserved for later approval. A new vehicular access is proposed alongside the northern perimeter of the site and the dwellings would be laid out in a cul-de-sac arrangement with five properties fronting onto Chiltern Way. Properties located at the eastern side of the site would face outward onto the Nature Reserve and properties adjacent to the south side boundary of the site would have dual aspect to provide views over the Nature Reserve to the south.
- 4.2 The proposed dwellings would be two storey in height with dormers to provide additional accommodation in the roof space. The dwellings would be of brick construction with accents of render to a small number of units, and pitched, tiled roofs.
- 4.3 The site layout and appearance of the dwellings have been subjected to a series of amendments to overcome concerns. Further amendments to the position of adopted highway and shared surface have been requested by Highways and will be reported to Committee by way of an update.

5 CONSULTATIONS AND OBSERVATIONS OF OTHER OFFICERS

Adjoining occupiers consulted:

112 Pedmore Valley, Flat the Nirmala Surgery 112 Pedmore Valley and Flats 1-16,
Sunrise House, 118 Pedmore Valley
57-81 (odds) Chiltern Way
The Presbytery, 51 Cherry Orchard Mount and Infant of Prague Catholic Church,
Cherry Orchard Mount

The application has also been advertised by way of a site notice and press advertisement.

Further notifications were sent out to the above addresses and also 1 Chiltern Way, following receipt of amended plans.

Six representations have been received from six addresses, making the following comments:

- Chiltern Way is already congested with traffic and parked cars. It is not wide enough to accommodate an additional 23 dwellings and associated vehicles
- The road should be widened by taking land from the site
- The development only provides one parking space per dwelling which is not sufficient for 3 bedroom dwellings
- Three storey houses would not be in keeping with the existing dwellings within the area
- Three storey dwellings would overshadow and overlook the existing houses on the opposite side of Chiltern Way
- It is not clear whether the houses will be for private sale or affordable.
- Will there be any landscaping carried out beyond the site boundary?
- The construction process will cause disruption for existing occupiers in the area
- The revised layout provides a turning head for a bin lorry but this will not be useable if cars are parked here.
- The original plan showed trees to be retained and now these are to be removed.

Additional consultation letters sent to:

Environmental Health: No objection.

Highways: the revised layout and access is generally considered acceptable. However, further details have been requested in relation to tracking, turning, extent of shared surface and the width of pedestrian footpaths through the site.

Biodiversity Officer: The additional bat survey carried out in September 2018 is satisfactory. The applicant should be made aware that a further survey will be required if the development is not commenced within 2 years. Appropriate landscaping will need to be agreed. Conditions requiring bat friendly lighting and hedgehog friendly fencing are recommended.

Tree Officer: Although it would be preferable to retain the birch tree within the site, it is not of sufficient amenity value to justify retention at the cost of the development.

6 RELEVANT POLICIES AND GUIDANCE

National Planning Policy Framework (July 2018)

- 6.1 The NPPF advises that there is a presumption in favour of sustainable development and that applications for sustainable development should be approved where possible and paragraph 11 indicates that development proposals that accord with an up-to date development plan should be approved without delay. A number of sections of the NPPF are relevant to this application.
- 6.2 **Delivery of a sufficient supply of homes** - Paragraphs 59-61 support the Government's objective of significantly boosting the supply of homes where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 6.3 **Promoting healthy and safe communities** - Paragraph 91 requires decisions to achieve healthy, inclusive and safe places which, amongst other things, promote

social interaction, are safe and accessible, and support healthy lifestyles.

Paragraph 94 stresses the importance that a sufficient choice of school places is available to meet the needs of existing and new communities. Great weight should be given to the need to create, expand or alter schools through the preparation of plans and decisions on applications. Paragraph 98 states that planning decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users.

- 6.4 **Making effective use of land** - Paragraphs 117-123 state that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 6.5 **Achieving well- designed places** - Paragraphs 124-132 are focused on achieving the creation of high quality buildings and places. Paragraph 124 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 127 of the NPPF states that planning policies and decisions should ensure that developments:
- 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;
 - are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - 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);
 - 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;
 - 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
 - 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.
- 6.6 **Conserving and enhancing the natural environment** - Paragraphs 170-183 states (amongst other things) that planning decisions should protect and enhance sites of biodiversity.

Nottingham Local Plan (November 2005):

NE3 - Conservation of Species.

NE5 - Trees.

NE10 - Water Quality and Flood Protection.

ST1 - Sustainable Communities.

T3 - Car, Cycle and Servicing Parking.

R2 - Open Space in New Development.

H1 - New Housing Development

Aligned Core Strategy (ACS) (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 17 - Biodiversity

Policy 19 - Developers Contributions

7. APPRAISAL OF PROPOSED DEVELOPMENT

Main Issues

- (i) Principle of residential development
- (ii) Design and impact on the streetscene
- (iii) Impact on residential amenity
- (iv) Highways and Parking
- (v) Trees

Issue (i) Principle of Residential Development (Policies ST1, H1 and Policy 8 of the Aligned Core Strategy)

- 7.1 Policy ST1 aims to secure the creation and maintenance of balanced communities, including a balanced mix of housing size, type, and affordability. The policy supports the use of previously developed land and buildings and development at an appropriate density to help support local services and to ensure the efficient use of land.
- 7.2 Policy 8 of the Aligned Core Strategy emphasises the need to develop sustainable communities and, in Nottingham's case, places further emphasis on the provision of innovative family housing on the fringes of the city centre and a broader mix of housing elsewhere. Policy 8 also recognises that the appropriate housing mix will be informed by a number of factors including local housing strategies, demographics, need and demand, site specifics and accessibility.
- 7.3 The application site is located within a Primarily Residential Area as defined by the Local Plan. The existing building has been declared surplus to requirements and has been vacant for more than 2 years and the surrounding area is very much residential in character. The site is therefore considered appropriate for residential development.
- 7.4 The current proposal would deliver quality housing of an appropriate size and design for occupation by families, offering three bedroom properties with private rear gardens and off street parking. The development would benefit from good public transport links to the city centre being located close to a primary bus route. It is therefore considered that the proposed development would comply with policies

ST1 and H1 of the Nottingham Local Plan and Policy 8 of the Aligned Core Strategies.

Issue (ii) Design and impact on the streetscene (Policies 8 and 10 of the Aligned Core Strategies)

- 7.5 The NPPF recognises the importance of design in making places better. It states that decisions should not attempt to impose architectural styles and that great weight should be given to schemes that raise the standard of design in the area. The commentary accompanying Policy 10 of the Aligned Core Strategy states that all new development should aspire to the highest standards of design, make a positive contribution to the public realm and create an attractive, safe, inclusive and healthy environment and the Policy itself sets the criteria that applications are to be measured against.
- 7.6 The proposed development has been the subject of pre-application discussions and has been amended a number of times to address initial concerns relating to the design and layout of the proposed scheme. The houses would now be comparable in scale to two storey dwellings, which would be in keeping with the existing houses along Chiltern Way. The amended scheme would provide a legible layout with an appropriate number of dwellings to make the most efficient use of the site. Whilst the density is higher than the immediate neighbouring residential development, it is considered that the site is visually separate from the houses opposite and that the development of short terrace blocks, oriented generally facing outwards, is an appropriate design response to the context. The proposed dwellings are of an acceptable size providing three bedrooms with adequate sized gardens and would therefore be suitable for family accommodation.
- 7.7 The layout has been amended a number of times to maximise views and natural surveillance over the adjoining Nature Reserve and ensure that the development is as outward looking as possible. The site frontage with five dwellings with direct access off Chiltern Way reflects the existing residential frontage on the opposite side of Chiltern Way. The plots on prominent corners have been designed with dual frontages where possible.
- 7.8 In-curtilage parking for one vehicle would be provided for each of the houses. The proposed palette of materials comprises brick, render and tiles. A condition requesting samples of all external materials is recommended. Details of landscaping have been reserved.
- 7.9 Rear access is provided to all properties for bin storage. In view of the above, it is considered that the proposed development complies with policies 8 and 10 of the Aligned Core Strategies.

Issue (iii) Impact on Residential Amenity (Policy 10 of the Aligned Core Strategies)

- 7.10 The closest residential properties are located on the opposite side of Chiltern Way, and it is not considered that the development would result in any significant overbearing impact or loss of light for the occupiers of existing properties on Chiltern Way.

- 7.11 The development would provide adequate sized houses, with sufficient outlook and access to natural light, and with private rear gardens. The proposal is therefore considered to provide a satisfactory quality living environment for future occupiers. The proposed development would therefore comply with Policy 10 of the Aligned Core Strategies.

Issue (iv) Highways and Parking (Policy 10 of the Aligned Core Strategy and Policy T3 of the Local Plan)

- 7.12 A number of concerns have been raised by local residents about the impact that the proposed development would have upon congestion and on-street parking on Chiltern Way. Local Residents cite existing problems of congestion and suggest that the road is not wide enough to accommodate an additional 23 dwellings. The Highway Authority has been consulted, and raises no objection to the development on capacity or safety grounds. Each dwelling would provide off-street parking for one vehicle and the internal roads will allow for some informal on-street parking. The parking provision is considered to be sufficient and in line with the levels that the Council would usually expect to be provided for a residential scheme of this size. It is not anticipated that the proposed development would result in a significant increase in demand for on-street parking on Chiltern Way. It is therefore considered that the proposed development would comply with Policy 10 of the Aligned Core Strategies and Policy T3 of the Local Plan.

Issue (v) Trees (Policy NE5 of the Local Plan)

- 7.13 The application is accompanied by an Arboricultural Impact Assessment and Tree Survey which highlights the need for the removal of a Birch tree and a Hedge within the site. Although the survey is considered to undervalue the existing Birch Tree, its amenity value does not justify its retention at the cost of the development. The possibility of retaining the tree within one of the plots has been explored but this was not possible.
- 7.14 Landscaping details have been reserved for approval and as such a subsequent application will be submitted which will provide such details. A further condition requiring the provision of replacement trees is also recommended.
- 7.15 Provided that the development is carried out in accordance with the recommendations contained within the tree report and subject to the recommended conditions, it is considered that the development would comply with Policy NE5 of the Local Plan.

8. SUSTAINABILITY / BIODIVERSITY

- 8.1 An initial bat survey of the building was carried out by an Ecologist and a further survey to establish the presence or absence of bats was recommended. This was carried out in September 2018 and found no evidence of bat activity within the building. The Biodiversity Officer has reviewed the report and is satisfied with the findings. Given the proximity of the site to Sandy Banks Nature Reserve, details of bat friendly lighting would be secured as part of the ecological enhancement strategy required under condition 4 of the draft decision notice.
- 8.2 It will be important to ensure that the landscaping for the site is appropriate given the proximity of the Sandy Banks Nature Reserve. Landscaping details are

reserved and will be submitted as part of the reserved matters application. A further condition requiring the use of hedgehog friendly fencing is recommended.

9 FINANCIAL IMPLICATIONS

9.1 For this development, the policy compliant planning obligations are required as follows:

- An off-site financial contribution of £27,247.74 towards public open space.
- A Financial contribution of £59,418.39 towards education provision.

9.2 The public open space contribution would be used towards facility improvements at Southglade Park and Sandy Banks Local Nature Reserve which are in the vicinity of the site. The sum towards education provision has been negotiated with the Education department and would be used to improve facilities in the Bestop Primary Planning Area (0010) which includes the following schools; Warren, Rise Park, Stannstead, Westglade, Southglade, Margaret Clitherow, Glade Hill, Henry Whipple and Robin Hood.

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: requirement to provide a high quality and sustainable residential development.

Safer Nottingham: designing a development that that contributes to safer and more attractive neighbourhoods.

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: 18/00143/POUT - link to online case file:
<http://publicaccess.nottinghamcity.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=P30IJ5LYH3B00>

2. Highways comments dated 8.1.19
3. Environmental Health comments dated 18.10.18
4. Biodiversity Officer comments dated 19.12.18
5. Tree Officer comments dated 27.4.18
6. Objection from local resident dated 28.4.18
7. Objection from local resident dated 28.4.18
8. Objection from local resident dated 13.5.18
9. Objection from local resident dated 21.5.18
10. Objection from local resident dated 1.1.19
11. Objection from local resident dated 20.1.19

17 Published documents referred to in compiling this report

Nottingham Local Plan (November 2005)

Contact Officer:

Mrs Zoe Kyle, Case Officer, Development Management.

Email: zoe.kyle@nottinghamcity.gov.uk Telephone: 0115 8764059

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0 0.02 0.04 km



Key



City Boundary

Description

No description provided



Nottingham
City Council

My Ref: 18/00143/POUT (PP-06654053)
Your Ref:
Contact: Mrs Zoe Kyle
Email: development.management@nottinghamcity.gov.uk



**Nottingham
City Council**

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Date of decision:

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

Application No: 18/00143/POUT (PP-06654053)
Application by: LCAM (Nottingham) Ltd. Mr M Aggarwal
Location: William Olds Youth Centre , 84 Chiltern Way, Nottingham
Proposal: Demolition of building and erection of 23 three storey dwellings with associated car parking. (Details of access, appearance, layout and scale submitted for approval with landscaping reserved)

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

Time limit

1. Approval of the details of the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

Reason: In accordance with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Application for the approval of any reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this outline permission; and

The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: In accordance with Section 92 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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3. Notwithstanding the details shown on the approved plans, the development shall not be commenced until details of all the external materials of all buildings have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a high quality development in accordance with Policy 10 of the Aligned Core Strategy.

4. Prior to the commencement of development, an ecological enhancement strategy, together with a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The ecological enhancement strategy shall be carried out in accordance with the approved details.

Reason: To ensure that the ecological interest of the site is safeguarded and enhanced to accord with Policy 17 of the Aligned Core Strategy.

5. Prior to the commencement of development a scheme to show the disposal of surface water from the site shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme should include SUDS techniques.

Reason: In the interests of sustainable development and to reduce surface water run-off in accordance with Policy of the Aligned Core Strategy and Policy NE10 of the Local Plan.

6. Notwithstanding the details shown on the approved plans, the development shall not be commenced until proposals for enclosing the site and individual plots therein have been submitted to and approved in writing by the Local Planning Authority. This should include details of hedgehog friendly timber fencing to be installed along the side boundaries of private rear gardens

Reason: To ensure a high quality development in accordance with Policy 10 of the Aligned Core Strategy.

7. The development shall not be commenced until proposals for electric vehicle charging points across the development have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of sustainable development in accordance with Policy 1 of the Aligned Core Strategy.

Pre-occupation conditions

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

8. The approved landscaping details 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 or are removed or become seriously damaged or diseased within 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, in accordance with Policy 10 of the Aligned Core Strategies.

9. Individual dwellings shall not be occupied until the following matters relating to that plot have been provided in accordance with the approved details:

i) the plot has been enclosed



- ii) parking
- iii) drainage
- iv) bin storage
- v) electric vehicle charging point

Reason: To ensure a high quality, sustainable development in accordance with Policies 1 and 10 of the Aligned Core Strategy.

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 following drawings/documents:
- Drawing reference 9413-010 revision B, received 28 December 2018
 - Drawing reference 9413-111 revision B, received 28 December 2018
 - Drawing reference 9413-112 revision B, received 28 December 2018
 - Drawing reference 9413-113 revision B, received 28 December 2018
 - Drawing reference 9413-114 revision B, received 28 December 2018
 - Drawing reference 9413-120 revision A, received 28 December 2018
 - Drawing reference 9413-101 revision C, received 28 December 2018
 - Other reference Arboricultural Impact assessment P.992.18 revision March 2018, received 27 March 2018
 - Ecology Report reference Ascerta Bat Survey Report revision September 2018 dated 17 September 2018

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. The applicant will be expected to include proposals for the planting of a replacement tree for the tree to be felled, including details of species, size, location and tree pit, within the landscaping details required by condition 1 of this permission.

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.



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Your attention is drawn to the rights of appeal set out on the attached sheet.



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RIGHTS OF APPEAL

Application No: 18/00143/POUT (PP-06654053)

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.



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