

# Built Environment

## Introduction

8.1 Policies in this chapter have been set out to guide the sustainable regeneration of the City by preserving and enhancing its historic environment and local identity and by encouraging quality urban design. Social inclusion will be promoted by ensuring safe and accessible development for all sections of the community.

8.2 The need for a high standard of urban design is a key element of the Urban Task Force Report and the Urban White Paper. Careful consideration of design is required to ensure that development is of high quality and an appropriate style, and contributes to safety, security and sustainability. Development should be at a scale which allows for re-use or redevelopment, avoiding large blocks. It is also essential that the City's historic buildings and the character of its Conservation Areas, which contribute to the sense of local identity, are preserved or enhanced.

8.3 Policies have regard to Planning Policy Guidance (PPG) 15 Planning and the Historic Environment, and PPG16 Archaeology and Planning, and to the (then) DETR publication 'By Design' and English Partnerships 'Urban Design Compendium'. Further detail on specific aspects of design is contained in 'saved' supplementary planning guidance on Shopfronts, Community Safety in Residential Areas, Industrial, Commercial and Retail Design Guide, Trees on Development Sites, and in Conservation Area Policies. Further guidance has been prepared on sustainability.

8.4 Applicants for planning permission should demonstrate how the needs of good design have been taken into account in the nature and scale of proposals. However, this is not meant to prejudice innovative and contemporary design solutions, which can enhance the townscape and add to a feeling of distinctiveness.

## Design in New Development

### Design Context in the Public Realm

**BE1: Planning permission for development will be granted where:**

- a) a clear distinction is created between public and private space;**
- b) the personal safety of all members of the community is safeguarded;**
- c) conflict between pedestrians, cyclists and traffic is minimised through integrated design; and**
- d) the different elements of paving, landscaping and street furniture are co-ordinated to provide visually attractive and convenient spaces that are appropriate to their context and designed to reduce maintenance.**

8.5 The City Council expects new development to be of a high standard of design, and to complement the existing townscape in which the development will be located. Within the City Centre, points of local interest and significance within the townscape have been identified. Landmark buildings, landmark features and focal points are shown on the Proposals Map; new development which impacts on them will require careful consideration. In order to assist developers, supplementary planning guidance has been prepared and will be prepared as supplementary planning documents setting out the City Council's design expectations. Large or sensitive planning applications are best supported by a Design Statement. Supplementary planning guidance is also being prepared to be 'saved' to policies in the adopted Plan informing applicants of the circumstances in which a Design Statement will be appropriate, and the matters it should address. Where appropriate, specific urban design guidance will also be included in development briefs for key sites.

### Layout and Community Safety

#### **BE2: Planning permission will be granted for development where:**

- a) new streets within developments are direct and integrated to ensure easy access to neighbourhood centres and public transport;**
- b) development does not generate levels or types of traffic, on street car parking or vehicle movements which would have a materially detrimental effect on traffic congestion, the amenity of local occupiers, or road safety;**
- c) pedestrian and cycle routes are overlooked by surrounding properties;**
- d) perimeter blocks with secure private space to the rear and active frontages to the street are completed or created, where appropriate; and**
- e) there is no detrimental effect on community safety or the security of existing or proposed buildings.**

8.6 The layout of development should enhance community safety. Overlooking, direct routes, good design and lighting can limit the opportunity for crime or nuisance. Historically, some development in the City, particularly in residential areas, has included pedestrian routes which now suffer from crime and nuisance. Where such routes cannot be redesigned to remove risk to community safety, closure will be encouraged.

### Building Design

#### **BE3: Planning applications will be considered against the following design criteria:**

- a) whether the development will enhance the local environment, townscape and character of the area, particularly the established scale, massing, rhythm and materials;**

- b) whether the development will have a materially detrimental impact on the amenity of occupiers or neighbours by affecting privacy, daylight, sunlight, immediate outlook or by its dominating impact;**
- c) whether the development will promote opportunities for mixed uses within single buildings or a group of buildings, where the nature of the development and site characteristics allow;**
- d) whether the development will enhance community safety, crime prevention and street activity;**
- e) whether the development will prejudice the comprehensive development or regeneration of a larger area;**
- f) whether the development will allow for safe and convenient access into and around the building, paying particular attention to the needs of people with disabilities;**
- g) whether the development will provide waste disposal facilities and bin storage that are accessible and not detrimental to the environment or to community safety; as well as to additional facilities to promote recycling of waste materials.**

8.7 Buildings must be designed to fulfil their function effectively, but consideration must also be given to the way they impact on the surrounding townscape and neighbouring properties. They must enhance the local environment, contributing to the vitality of areas and improve community safety. Sustainability is an important consideration in the design and specification of the building, paying particular attention to the conservation of energy and future adaptability.

8.8 The City Council will encourage Architectural Competitions on particularly sensitive or prominent sites, in order to ensure that new development in these locations is of the very highest quality.

8.9 Development should meet the needs of users and occupiers without prejudicing the amenity of existing adjacent occupiers and users in the surrounding area. The layout and design of buildings should aim to be as flexible and adaptable as possible, avoiding the creation of unnecessary limitations on the potential for future alternative uses and should therefore avoid large single blocks of development. Development proposals for any building that the public may use will be required to provide safe, easy and inclusive access for all people regardless of disability or age. Further planning guidance to be published by the City Council will give further detail on integrating the principles of inclusive design and access into development proposals. A mixture of uses within new and converted buildings or groups of buildings encourages long term sustainability and can reduce the need to travel.

8.10 Extensions to houses, though usually relatively small, can give rise to problems such as overlooking or use of inappropriate materials. Supplementary planning guidance will be prepared to be 'saved' to the adopted Plan. This will assist applicants in submitting acceptable proposals.

**BE4: Planning permission will be granted for development which accords with principles of sustainability in design, including renewable resources, recycling, accessibility and efficiency of use and appropriate techniques to minimise the impact of surface water discharges.**

8.11 Details of criteria are set out in a Sustainability Checklist prepared by the City Council in relation to planning and development. Green building systems, including aspect, renewable energy sources and energy conservation used in the design and construction of buildings is an important element in sustainable development. Wherever practical, developers will be encouraged to provide Sustainable Drainage Systems (SuDS) as part of future developments, to reduce the impact of surface water discharge.

### Landscape Design

**BE5: Planning permission will be granted for development which includes an appropriate and comprehensive landscaping scheme with clear proposals for maintenance, provided that the scheme:**

- a) is not detrimental to established features which form part of the wildlife network and/or have amenity value, such as trees, streams, hedgerows, footpaths and topographical features;**
- b) incorporates or complements established features within the site or vicinity;**
- c) provides, where appropriate, open spaces which are clearly linked to each other and to adjoining spaces, by pedestrian and cycle routes or wildlife corridors;**
- d) avoids the creation of 'left over' spaces, which are difficult to manage, have no clear purpose and have no sense of ownership; and**
- e) responds to the urban form and natural features in the locality both in the location of elements and the specification of materials, and provides a variety of habitats for wildlife appropriate to the site and surroundings including use of native species of local provenance where possible.**

8.12 Landscaping should be considered an integral part of any design, to encourage biodiversity and the provision of high quality space around buildings, both public and private. Where higher densities may limit availability of open space, landscaping will maximise opportunities for providing beneficial and sustainable spaces in the urban environment. Opportunities to enhance open spaces, streets, squares, car parks or courtyards, must be planned at an early stage. Landscaping includes the design and detailing of all external areas and surfaces. Where landscaping is required in order to enhance the appearance of development and integrate it into its surroundings, the following policy will apply.

8.13 Hard and soft landscaping can considerably enhance development. However, the ongoing management of landscaped areas is crucial to their sustainability. This can be achieved by use of planning conditions or planning obligations and management agreements with landowners and developers.

## Creation of New Pedestrian Routes in the City Centre

**BE6: In considering planning applications for major new development, refurbishment or change of use in the City Centre, the City Council will, where appropriate, impose conditions or negotiate planning obligations with developers for the opening up of alleys, courtyards and other thoroughfares to pedestrians.**

8.14 Nottingham still retains much of its irregular medieval street pattern. A feature of this period and later development was the creation of many small courts and alleys resulting in a complex and interesting pattern of pedestrian routes. With more recent development, many of these routes have been blocked, or have become unattractive to use and accessibility and choice of routes has been lost. As part of the strategy to diversify pedestrian flow and regenerate relatively run-down areas of the City Centre, a policy of re-establishing and upgrading old pedestrian links, and establishing new ones, is an important element.

8.15 In creating new pedestrian thoroughfares, the City Council will seek to ensure that they are fully accessible by disabled people.

## Creation and improvement of Public Open Spaces in the City Centre

**BE7: Planning permission will not be granted for development in the City Centre which would prejudice implementation of proposals to create new public open spaces, and linkages between them, at the locations shown on the Proposals Map.**

**In considering planning applications for major new developments in the City Centre the City Council will, where appropriate, impose conditions or seek planning obligations to provide or improve public squares, linkages and open spaces.**

8.16 Well-designed public spaces will play a crucial role in the regeneration of the City Centre, enhancing its attractiveness, drawing in visitors, residents and workers.

8.17 Nottingham's compact centre has the right conditions to enable the development of a network of high quality public spaces and squares. The Old Market Square will be at the heart of this network, with continued improvements to create a multi-functional, flexible space of the highest quality, which itself forms an attraction.

8.18 New public squares have already been completed at the Ice Centre and Playhouse and a new Old Market Square is under construction. Others are proposed in the Lace Market and as part of development schemes. Together they will create a 'City of Squares' with enhanced public spaces around leisure, tourism and cultural facilities, linked together by safe and attractive walking routes. Locations for public squares and new pedestrian routes are shown on the Proposals Map.

## City Skyline and Tall Buildings

8.19 The City's topography and historic buildings provide a distinctive skyline; in particular, the Lace Market Cliff and Castle Rock are of outstanding townscape quality. Any development that rises above the predominant height of surrounding buildings will impact on the skyline of the City. Tall buildings can improve the legibility of the City, and contribute to its identity and character

when well designed and located. However, this needs to be carefully considered and justified. The visibility of the development in longer views must be taken into account, as well as the immediate impact.

**BE8: The development of a tall building, which rises above the predominant height of surrounding buildings and / or is prominent in longer views of the City skyline, will be permitted where it fulfils the following criteria:**

- a) the design of the building forms a landmark that enhances the skyline and surrounding roofscape;**
- b) the scale of the building is appropriate for its location and respects the character of Conservation Areas, maintaining the highest densities only in the centres of neighbourhoods or areas with good access to public transport;**
- c) it does not detract from existing views of landmark buildings, structures or roofscapes, listed buildings and scheduled ancient monuments or their setting, or landscape features; and**
- d) it does not create adverse climatic conditions at ground level.**

**Applicants will be required to provide a detailed assessment of the impact of the development where this could affect the City skyline.**

## The Historic Environment

8.20 The historic environment is an important element in the City's townscape, and its local distinctiveness. Listed buildings, historic gardens, conservation areas and other features of historic or architectural interest contribute significantly to the quality of life in the City, and are greatly valued by residents and visitors alike. They are also a significant economic asset, underpinning tourism development in the City.

### Listed Buildings

8.21 Listed Building Consent is required for the demolition of, or any alteration or extension of, a listed building which would affect its character as a building of special architectural or historic interest. There is a presumption in PPG15 'Planning and the Historic Environment', in favour of the preservation of listed buildings and against demolition. Where demolition is proposed, the City Council will consider whether adequate efforts have been made to retain the building in use. Where a building has been deliberately neglected, less weight will be given to the costs of repair.

8.22 Development involving the demolition, or substantial alteration of a listed building is only likely to be permitted in exceptional circumstances. The City Council will not grant consent for demolition proposals unless they are fully justified. A statement of justification should accompany the application. This should include an appraisal of the intrinsic architectural and historic value of the building, a condition survey, costings, and a marketing exercise.

## Demolition of Listed Buildings

**BE9: Development involving the demolition or substantial alteration of a listed building, will only be permitted in exceptional circumstances. In considering such proposals, the following criteria will be taken into account:**

- a) **the condition of the building, the cost of repairing and maintaining it in relation to its importance and to the value derived from its continued use;**
- b) **the adequacy of efforts made to retain the building in use, including the offer of the unrestricted freehold of the building on the open market at a realistic price reflecting the condition of the building;**
- c) **the merits of alternative proposals for the site and whether they bring substantial public benefits for the community which decisively outweigh the harm resulting from demolition.**

## Development within the Curtilage, or Affecting the Setting, of a Listed Building

**BE10: Planning permission for development within the curtilage, or affecting the setting, of a listed building will not be granted if it would be detrimental to the appearance or character of the building, or to its setting.**

8.23 The setting of a listed building is often an essential feature of its character and therefore the effects of proposed development in the vicinity of these buildings will be a material consideration in determining applications.

## Alterations and Extensions to a Listed Building

**BE11: Applications to alter or extend a listed building will be granted where those alterations or extensions are justified and do not harm the character or appearance of the listed building or its setting, or any feature of special architectural or historic interest which it possesses.**

8.24 Listed Building Consent is required for any alteration to the interior or exterior of a listed building that would affect its character as a building of special architectural or historic interest. This includes proposals affecting the fabric and the plan form as well as architectural details. External additions including signs, shutters, antenna and other services will usually require Listed Building Consent.

8.25 The owners of listed buildings should consider the impact of a proposed change of use on the fabric and interior of a listed building, which are recognised as essential elements of its character. The nature of the proposals and their effect on the historic character of the building should be clearly illustrated in a supporting statement. This should include both internal and external alterations and those necessary to comply with building, environmental health and fire safety regulations, and internal services requirements.

8.26 The City Council expects applicants to justify their proposals in a justification statement. In the case of significant alterations affecting the building, the City Council will require full economic justification. Guidance notes will be produced to assist applicants in submitting applications for Listed Building Consent.

### Development in Conservation Areas

8.27 Areas of the City which merit protection and improvement by nature of their special architectural or historic interest are designated as Conservation Areas under the Planning (Listed Buildings and Conservation Areas) Act 1990. The City Council has a duty to review Conservation Areas and seek ways to preserve or enhance their special character. In accordance with PPG15, the special character of each Conservation Area will be identified in appraisals, and further supplementary planning guidance 'saved' to the adopted Plan produced to guide the form of new development. In addition to this, Article 4 (2) Directions can be served to protect the essential character of Conservation Areas by removing Permitted Development rights. Article 4 Directions currently apply within parts of the Arboretum, Canning Circus, Devonshire Promenade (New Lenton), Sneinton, Strelley, and Waterloo Promenade. Further designations will be considered as appropriate.

**BE12: Planning applications for new development in Conservation Areas, applications for advertisement consent and applications for proposals in the vicinity of a Conservation Area which affect its character or appearance, will be granted where:**

- a) **the proposal preserves or enhances the character or appearance of the Conservation Area, including the siting, scale, urban grain, building form, massing, height, materials and quality of detail, and the relationship of the proposals to the historic street pattern, topography, urban spaces and gardens, views and landmarks; and**
- b) **the development demonstrates high standards of design appropriate to the historic environment.**

### Demolition in Conservation Areas

**BE13: Planning permission for development involving demolition or substantial demolition of unlisted buildings which make a positive contribution to the special character of Conservation Areas will only be granted in exceptional circumstances. Proposals will be considered against the following criteria:**

- a) **the condition of the building, the cost of repairing and maintaining it in relation to its importance and the value derived from its continued use;**
- b) **the adequacy of efforts made to retain the building in use;**

- c) **the merits of alternative proposals for the site and whether these would bring substantial public benefits which decisively outweigh the harm caused by the loss of the building.**

**Proposals involving demolition within Conservation Areas will not normally be allowed unless a full planning application is submitted, showing the proposed new buildings. Conservation Area Consent will be subject to conditions or a planning obligation to ensure demolition does not take place until a satisfactory form of contract has been entered into for redevelopment.**

8.28 There is a general presumption in favour of retaining buildings which make a positive contribution to the character or appearance of a Conservation Area.

8.29 The City Council will ensure that cleared sites do not remain vacant for long periods. In some cases an interim landscaping scheme may be required prior to the replacement scheme being implemented.

### Historic Parks and Gardens

**BE14: Planning permission will not be granted for development that would be detrimental to the character, setting or appearance of a registered Park or Garden of Special Historic Interest, or the Nottingham Castle Grounds.**

8.30 The Arboretum, Church and General Cemeteries, Highfields, Hungerhill Allotments (including Stonepit Coppice and Gorse Close Gardens), Memorial Gardens at Trent Embankment and Wollaton Park are Grade II Listed in English Heritage's 'Register of Parks and Gardens of Special Interest'. The Register is a material consideration in the determination of planning applications. Nottingham Castle and grounds are included within the Schedule of Ancient Monuments, and lie within the Castle Conservation Area.

8.31 Other parks and gardens, although not included in the Register, are locally important and valuable to residents. They are identified in the Open Space Network and defined on the Proposals Map, and are protected by policies in the Recreation & Leisure chapter.

### Archaeology

8.32 PPG16 'Archaeology and Planning' states that care must be taken to ensure that archaeological remains are not needlessly or thoughtlessly destroyed. Archaeological remains contain irreplaceable information about our past and the potential for an increase in future knowledge. The overriding objective is therefore to preserve 'in-situ' all sites of known or suspected archaeological importance.

8.33 Much of Nottingham is built on sandstone, which has been extensively excavated for caves from the medieval period onwards. These constitute a feature of the City that is unique in the national context. The preservation, enhancement and interpretation of caves is an important conservation objective.

**BE15: Planning permission will not be granted for development which adversely affects:**

- a) a Scheduled Ancient Monument, archaeological remains of national importance or the setting of either;
- b) caves that are considered to be of archaeological significance and could be retained safely within development sites.

**BE16: Planning permission will be granted for development in the archaeological constraints areas shown on the Proposals Map, or other sites of known or suspected archaeological significance, provided that information derived from an archaeological 'desk-based' assessment, and/or field evaluation, carried out as part of the application, shows that:**

- a) no archaeological resources are likely to be affected by the development; or
- b) where archaeological resources are likely to be affected, the remains are preserved 'in situ'; or
- c) where remains are able to be removed, they can be fully investigated, recorded and secured, as part of the development.

**BE17: Planning permission will not be granted for development which would destroy archaeological resources of local significance which the City Council considers must be retained 'in situ'.**

8.34 Planning applications for development entailing breaking of ground on sites within the archaeological constraints areas, or affecting caves or other sites of known or suspected archaeological significance, will normally be accompanied by an archaeological assessment of the application site.

8.35 There are currently 9 Scheduled Ancient Monuments in the City, which are: cellar under 8 Castle Gate, rock cut houses north of Castle Boulevard and south of Nottingham Castle, caves at Drury Hill and under 3-7 Middle Pavement, medieval City wall, Nottingham Castle, St John Baptist's Church and graveyard, Colwick, and Lenton Priory, which was designated in 2002. The Priory was a pre-reformation monastic foundation of national significance. The area of remains may extend beneath adjacent properties, particularly along Priory Street on the site of the monastic church.

8.36 Where the assessment or other information indicates that it would be appropriate, an archaeological field evaluation will be required before the application is determined. Where it is considered that, following the field evaluation, there are remains of archaeological significance which would be adversely affected by the proposed development, the City Council may:

- refuse planning permission; or
- require the application to be modified to allow remains to be preserved 'in situ'; or

- require a detailed scheme of survey, recording and excavation of remains, where it is considered that the proposed development should proceed and the remains not be retained 'in situ'.

8.37 Where evaluation is not considered appropriate, the City Council may require the implementation of an archaeological 'watching brief' during the course of the development as a condition of planning permission, allowing for the recording and excavation of remains which may be discovered during the site works.

8.38 In all developments entailing archaeological works, a programme and specification must be agreed with the City Council prior to the commencement on site. Development programmes should take full account of the need for adequate opportunity to be included for archaeological investigation. Specifications for archaeological evaluations and watching briefs should be drawn up in conjunction with the City Archaeologist.

## Telecommunications Equipment

**BE18: Planning permission will be granted for telecommunications development where:**

- a) it has been demonstrated by the applicant that no satisfactory alternative sites are available and that no existing facilities can be shared;**
- b) there is no reasonable possibility of using an existing building or structure;**
- c) there is no seriously detrimental impact on the appearance and character of any building or structure affected, or on the wider area, or on the amenities of the occupiers of nearby properties;**
- d) development is sited and designed so as to minimise its visual impact; and**
- e) a certificate of compliance with the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines accompanies the application.**

8.39 PPG8 on Telecommunications sets out the Government's policy to facilitate the growth of new and existing systems. The benefits of the growth of telecommunications must be balanced against the need for environmental protection. A precautionary approach will be adopted and it will be for the applicant to show that there will be no unnecessary harm to visual amenity and the environment arising from the proposal. All new mobile phone base stations and additions to existing stations are expected to meet the ICNIRP guidelines to reflect PPG8 advice.

## Advertisements and Shop fronts

8.40 Advertisements play a vital role in the visual environment of the City. The City Council recognises the need of shops and businesses to announce themselves to customers but this should be achieved by a high quality of design and materials which avoids being obtrusive or hazardous to public safety.

### **BE19: Advertisement consent will be granted where:**

- a) the sign is not detrimental to the visual amenity of the building or area by reason of its scale, detail, character or design;**
- b) any illumination is not detrimental to the visual amenity of the area;**
- c) the display of the sign would not result in clutter; and**
- d) the display of the sign would not prejudice highway safety.**

8.41 Signs positioned on top of buildings or which straddle buildings, fascia signs which are placed higher than the level of first floor window sills, or fully internally illuminated fascias, would not generally be granted consent. Additionally, projecting signs which would have less than 2.6 metres clearance from the footpath or which project more than 1 metre would be unlikely to be granted consent.

8.42 Freestanding advertisements may be acceptable provided that they constitute part of the overall scheme. 'A' board free-standing advertisements will not normally be granted consent because their low height and temporary nature are likely to cause clutter and are a danger to pedestrians, particularly to disabled people.

8.43 Large poster displays can have a considerable impact on the overall appearance of the urban area. The siting of hoardings will be carefully controlled to reduce their impact. They will normally only be acceptable temporarily to screen sites or premises which would otherwise be visually detrimental to the surrounding area.

8.44 In Conservation Areas and on listed buildings, the design of signs will be expected to be of a high standard and not damaging to the fabric and detail of buildings or the character of Conservation Areas, in line with Policies BE10, BE11, or BE12.

### **Unauthorised and Deemed Consent Advertisements**

**BE20: Action will be taken against unauthorised advertisements or advertisements with deemed consent to secure their removal where they are detrimental to the appearance of the buildings on which they are displayed, or to the amenity of the surrounding area, or prejudice public safety.**

#### **Shop fronts**

**BE21: Planning permission will be granted for new, altered or replacement shop fronts where:**

- a) their design, scale, and character are compatible with the building and the surrounding area;**
- b) appropriate materials are used; and**
- c) the design of entrances allows access to all members of the community.**

8.45 The overall design of shop fascias, and the use of pilasters, stall risers and other traditional features, should be compatible with the building and its surroundings. Further design guidance can be found in the 'saved' supplementary planning guidance on Shop fronts.

### Roller Shutters

**BE22: Planning permission will be granted for externally mounted roller shutters where:**

- a) the installation of internally mounted grilles is either impractical or unreasonable;**
- b) the shutter, shutter box and guides are designed and colour finished as an integral part of the shop front and are not detrimental to the character of the building and street scene;**
- c) when sited within the City Centre and / or Conservation Areas the shutters are of an open grille type which allow clear visibility of the shop frontage and shop window display; within Local and Town Shopping Centres and on all other retail premises, shutters are of a partially open grille type to allow some visibility of the window display; and**
- d) they are not sited on a listed building.**

8.46 There is increasing demand for roller shutters on retail premises. However, these can cause serious damage to the appearance of a building or area, particularly where they are not integrated into the design of the shop front. In addition, a proliferation of shutters can result in a threatening impression, contrary to community safety aims.

8.47 Within the City Centre and Conservation Areas the vitality of the shopping streets and historic character of the areas would be prejudiced by the installation of solid shutters. For other retail premises, vitality and interest should be maintained by retaining some visibility of the window display.

