



**UPDATE ON AGENDA ITEMS**

This is a supplement to the original agenda and includes an update to the original agenda.

**NOTTINGHAM CITY COUNCIL  
PLANNING COMMITTEE**

**Date:** Wednesday, 23 March 2016

**Time:** 2.30 pm

**Place:** Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG

**Governance Officer:** Catherine Ziane-Pryor **Direct Dial:** 0115 8764298

**AGENDA**

**Pages**

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## PLANNING COMMITTEE

### UPDATE SHEET

(List of additional information, amendments and changes to items since publication of the agenda)

23 March 2016

#### 4a Rooftop Extension to Maid Marian House Maid Marian Way

##### 1. Condition 3 regarding Construction Management Plan

Additional condition:

5. Development shall be carried in accordance with the Construction Management Plan submitted 23<sup>rd</sup> March 2016.

Reason:

*The building abuts the public highway; a construction management plan is required in the interests of public safety and to accord with Policy 10 of the Aligned Core Strategy.*

##### **Comments:**

***A construction management plan has been submitted which has been reviewed by Traffic Management. They have advised that the plan is satisfactory. As a result of this condition 3 can be deleted and a new regulatory condition requiring development to be carried out in accordance with the Construction Management Plan can be added.***

***The deletion of condition 3 will require alterations to the number ordering of other conditions. Condition 4 will become condition 3 and condition 5 will become condition 4***

#### 4d Riverside School Riverside Way – 15/02854/PFUL3

##### 1. Additional comments from applicant

The applicant has submitted information in response to the publication of the committee report, as follows:

- Confirmation that the site has been vacant for a number of years
- The report should make reference to Paragraphs 11, 14, 22 and 72 of Section 6, and to the Government Policy Statement – Planning for Schools Development (E Pickles and M Gove August 2011)
- The 17 jobs referred to in paragraph 7.1 will not just be teaching jobs and will include caretakers and cleaning staff

The applicant has also submitted a response to the points raised by Councillor Edwards as follows:

- a) **In response to the comment regarding the use of the land**, it is noted that the application site is not specifically safeguarded for employment use and as such must be tested against the wider policy requirements set out in national and local planning policy. The proposal is compliant with these.
- b) **In response to comment regarding use of facility and loss of local jobs**, the site has been vacant for a number of years (at least 4), was a B1 office/B8 warehouse use as opposed to an office/manufacturing use and despite being marketed for a lengthy time the unit has not been purchased or leased for re-use as an employment site. The site performs poorly as an employment site and is not in a prime location, as evidenced by the Loss of Employment Report submitted with the application. The proposal would result in job creation (17 jobs) and would benefit the local community as there are no similar schools within the area, and would make use of a long term vacant building.
- c) **In response to the comment that ‘not local to the need’**, there is strong support from local commissioning schools, parents of pupils already attending the school as well as the Education department at Nottingham City Council. At present 74% of existing pupils reside within Nottingham City. This in itself demonstrates the need of the school.
- d) **In response to the comment that the school is not geared to public transport of those being served**, due consideration was given to transport and highway matters in relation to the proposal. The application is supported by a Transport Assessment which has not highlighted any issues in relation to the catchment area of the school and accessibility by public transport. The report notes that ‘there are excellent opportunities for pedestrian and cycle travel via a network of signed routes...’ and ‘there are also opportunities for public transport travel with regular bus services within walking distance, and the Meadows Embankment tram stop within walking distance’.
- e) **‘Low public awareness which could easily change’**. The school has been opened since September 2015 and articles in relation to the school have appeared in the Nottingham Post. The proposal (application) has been through the planning process whereby those likely to be affected have been notified as appropriate.

The applicant concludes that they consider that there are no constraints which should preclude the approval of the proposal and the continuation of the premises as a school. The school is a valuable community resource much needed for the young people of Nottingham and strongly supported by local parents, local commissioning schools and the Education department of Nottingham City Council, particularly as there is no similar provision within the catchment area, will provide 17 skilled jobs and re-use a vacant property, for which there is a lack of market demand for employment use.

## 2. Additional representations from Ward Councillor

### A: It's in the wrong location

In October 2104, the Nottingham Post reported "The Channelling Positivity Alternative Provision Free School will open next September somewhere

in the borough of Rushcliffe. It will take up to 56 children aged 13 to 16 who have social, emotional or behavioural issues.

(Read more:

<http://www.nottinghampost.com/Free-school-problem-kids/story-23037765-detail/story.html#ixzz43Y1365Ob> )

"The exact location will be decided on by Government officials, but the preferred location is said to be in West Bridgford."

I agree with Channelling Positivity's original ambition that the best location for their school is in West Bridgford.

The notion that a school for children with "social, emotional or behavioural issues" from schools in West Bridgford, is best located in The Meadows is provocative, even if some educationalists, or the determinants of current planning law don't even think to concern themselves on this matter.

I understand 2 other locations for the school in the borough of Rushcliffe were considered. I don't know why they did not find a site.

Qn: Why can't an application be refused for being located where it is not local to the West Bridgford schools it's supposed to be working with?

Qn: Why can't an application be refused for being located where it is not local to the West Bridgford institutions, and further is not on the main public transport routes to the West Bridgford institutions, it's supposed to be working with?

Qn: If the location is not local to the institutions it serves, can it be called sustainable development?

B: It's the wrong planning classification.

The committee report refutes the point on future planning use, but does state that existing use is B1, B2 and B8; and that does not include a designation for a school.

B1 Business

B2 General Industrial

B8 storage and distribution

Qn: why does the report not give more credence to the proposal not complying with B1, B2 or B8?

Qn: are we really to take a failure to find a user during the aftermath of a global crash, where the national economic recovery has been focussed in the south of England, as an argument for a proper B1, B2 and B8 facility to be surrendered?

C: Comments on Aligned Core Strategy

Qn: Policy A - if it's not local to the locality of the institutions, is it really sustainable development?

Qn: Policy 1 - if it's not local to the locality of the institutions, is it really good for the climate?

D: Principle of Use for Education

Qn: why does para 7.2 talk about "pupils not able to attend traditional mainstream schools" when only a short time ago, it was the clear and emphatic ambition of schools in Nottingham to ensure that pupils did attend mainstream schools, with a very small number of exceptions?

Qn: what effort has been made to check an assertion made in para 7.2 that there is no other facility of this type in a way that is very narrow; some courses are offered for smaller numbers of children at other locations?

Qn: Regarding 56 pupils, this is a step change increase in the number to attend the new school \*\* at any one time \*\*. What might the school expect to have to manage with much larger numbers (of pupils that are apparently unsuitable for education in mainstream schools)?

**Comments:**

1. **No further comment.**
2. **A - The school is a specialist facility with a wide catchment area, covering both Rushcliffe and Nottingham City. The applicant has advised that 74% of the current pupils are Nottingham City residents. The premises are accessible by a variety of transport modes.  
B - This matter is discussed in the committee report, and is further commented upon by the applicant above.  
C - Location and accessibility are commented upon in the committee report.  
D - The application is for a Class D1 education use. Education policy, commissioning and teaching practices are no material planning considerations.**

(Additional background papers:

Email received 16<sup>th</sup> March from applicant's agent

Response to representation received 21<sup>st</sup> March from applicant's agent

Email from Councillor Edwards received 22<sup>nd</sup> March)