



ADDITIONAL / TO FOLLOW AGENDA ITEMS

This is a supplement to the original agenda and includes reports that are additional to the original agenda or which were marked 'to follow'.

**NOTTINGHAM CITY COUNCIL
PLANNING COMMITTEE**

Date: Wednesday, 22 February 2017

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

4 PLANNING APPLICATIONS : REPORTS OF THE CHIEF PLANNER

g UPDATE SHEET

3 - 8

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PLANNING COMMITTEE

UPDATE SHEET

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

22 February 2017

4a Trent Works

This planning application has been withdrawn from the Planning Committee agenda, pending further discussions on the S106 obligation.

4b Mundella Centre

The Environment Agency have confirmed that they now have no objections, subject to the development being carried out in full accordance with the revised Flood Risk Assessment.

Comments - additional condition:

The development permitted by this planning permission shall be carried out in accordance with the approved MA10200 – R02A Flood Risk Assessment compiled by Millward Consulting and the following mitigation measures detailed within the Flood Risk Assessment:

- 1. Finished floor levels for the internal living accommodation are set no lower than 25.66m above Ordnance Datum (AOD).***
- 2. Flood resilience measures to be incorporated within the building as detailed in section 5 of the FRA.***

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy 1 of the Aligned Core Strategy and NE10 of the Nottingham Local Plan.

(Additional background papers:

- Agencies' comments 09.02.17.)

Further Responses

Highways: There are still a number of issues that will need to be resolved during the S278 and S38 process, particularly the design of the adopted shared access road which is adjacent to the existing residential dwellings and their car parking spaces, which have gates that would open directly onto the highway. In usual circumstances this would not be acceptable, especially on a new build. However, through retro fit design and other highway measures we can ensure that the access road is as best as possible to allow for it to be an adopted through route at the development. The treatment and consideration of the use of the River Trent pedestrian and cycle route will also require further details and sensitive treatment.

Urban Design:

Integration into the neighbourhood

Connections-the site is isolated, but the illustrative masterplan demonstrates how the site will be connected in the future (amber).

Facilities and services – as above. The intention in the future is to provide appropriate open spaces, commercial units and possibly a school. (amber).

Public transport - The intention is to provide the area with a bus service as the density of population increases. (amber)

Meeting local housing requirements – Market testing has been undertaken - a mixture of house types and sizes are proposed (green)

Creating a place

Character – the variety of street and house designs create a distinctive place. (green)

Working with the site context – the scheme is designed around the unique water side setting of the river and basin (green)

Creating well defined streets and spaces – the mix of street design, with a variety of materials and widths as well as planting creates an interesting hierarchy of streets . The buildings front the streets and appropriately turn corners, adding to the visual interest and safety. (green)

Easy to find your way around – The variety of streets and buildings provides visual cues for ease of navigation. (green)

Street and home

Streets for all – the variety of street widths and materials are designed to reduce vehicle speeds, giving pedestrian and cycling priority. The streets are designed as social places to encourage people to linger. The riverside path has been design for pedestrians and cycles only. (green)

Car Parking – Adequate off street parking has been provided as well as some spaces appropriately located on street, helping to reduce vehicular speeds. (green)

Public and private spaces – Spaces will be overlooked and managed by a management company. Spaces will relate to the unique water side setting. (green)

External storage and amenity space – Communal bin storage areas will be provided. The position and design of these are important, in terms of their effect on the amenity of the scheme and ease of use and collection. Cycle storage is integral to the design of the properties. (green)

Summary

The three ambers relate to the isolated location of the site and the fact that it is the first stage of a larger area of redevelopment. Until the overall vision is achieved and the proposed infrastructure is completed, then the site will score less well under the “Integration” heading. However, it remains a high quality, high density scheme, which will hopefully be the catalyst for further development of this brown field site.

(Additional background papers:

- Highways 10.2.17
- Urban Design 20.2.17)

4d Gate House, 73 Hounds Gate

3 additional letters of representation have been received since the publication of the Committee Report in relation to the above. 2 of these letters are from objectors who have already made representation. The three letters received raise the following matters:

- Increase in the level of activity related to the building and the area which has the potential to conflict with the Council’s aims to promote the area as a tourist destination and undermines the recent regeneration of the area.
- Concern over terminology used within section 5 of the Committee Report relating to objections received.
- Concern that the Committee Report does not give the warranted importance to the scale of the objections received. It is noted that the main entrance would be from Hounds Gate, however this is contradicted by the statement that vehicular access is from Castle Gate. Although it is understood that it is difficult to predict the number of people who would visit the Service Hub, the figure of 135 is higher than the 100 visitors initially suggested. The Report suggests that the hours of operation cannot be restricted, however since the premises were last in use the area around the site has significantly changed. The Report does not make reference to the significant investment that has been made in the area. It is also felt that the Report does not give appropriate scrutiny of the ‘desirability of new development making a positive contribution to the local character and distinctiveness of the area’. The public benefits of the scheme have also not been weighed against the less than substantial harm to the heritage asset as required by section 134 of the National Planning Policy Framework. It is considered that there is sufficient office space available elsewhere for this proposal and that there is a conflict of interest

between the Council and the applicant, bearing in mind the service contract that will be operated; and the identity of the existing landlord. It is asked that appropriate steps are in place at the Committee Meeting in this latter regard.

Comments - in response to these additional letters of representation:

The level of activity associated with the proposal has been addressed and consideration has been given to whether there would be conflict with national and local planning policies relating to tourism and city centres in sections 7.5 to 7.9 of the Report.

The terminology used within the Report relating to objections received reflects the comments made within them.

The Report and the update sheet sets out the level and nature of the objections received in regard to the proposal. The main public entrance to the building will be from Hounds Gate, section 4.5 of the Report makes it clear that the car park would only be available to clients on a pre-arranged basis; access to the carpark would therefore be restricted. As such there is considered to be no contradiction. The level of activity that could be associated with the existing use as a council office and the circumstances within which it could be operated is a material planning consideration that carries substantial weight in relation to the determination of this application. However as part of assessing the application consideration has been given to whether the use is likely to increase the incidence of crime and antisocial behaviour in the area (which are material planning considerations). Evidence and information provided by the Police, as set out in the Report section 5 page 61 and section 7.6 and 7.7 that the proposal would not raise public safety concerns.

With regards to the comments made relating to the 'desirability of new development making a positive contribution to the local character and distinctiveness of the area', this quote forms part of paragraph 131 of the National Planning Policy Framework (NPPF) relating to conserving and enhancing the historic environment and is not a definitive requirement. The NPPF in paragraphs 132 to 134 advises that only development that causes substantial harm or less than substantial harm to a heritage asset needs to be weighed against any public benefits of the proposal and also other tests which are set out in paragraph 133 of the NPPF. In assessing this application consideration has been given to the impact that the proposal would have on the Castle Conservation Area. In this instance as no changes are to be made to the appearance of the building and given the existing authorised use of the premises the proposals impact on the Castle Conservation Area is considered to be neutral i.e. there is no impact. There is therefore no conflict with paragraph 131 of the NPPF and also the relevant local planning policies relating to conservation areas (as indicated in section 7.10 of the Report).

Whether there is other office space available is not in this instance a reason for refusing this application, the proposal needs to be considered on its own merits. With regards to whether there are any conflicts of interest the application has been assessed against the relevant planning policies.

Framework have provided a Management Plan for the proposed Service Hub which sets out the arrangements that will be put in place in regards to managing visitors and also neighbour relations, and measures that will enable incidents with any of their visitors (within or outside of the building) to be reported, logged, investigated, monitored and reviewed.

In light of the information provided by Framework an additional condition is proposed:

The details contained within the Management Plan relating to visitor management and neighbour liaison including the measures for recording, investigating and monitoring incidents shall be implemented at all times and an annual review shall be submitted to the Local Planning Authority.

Reason: To protect the amenities of the occupants of nearby property in accordance with Policy 10 of the Aligned Core Strategy.

4e 2 Private Road

A letter from Aspbury Planning, who act on behalf of the applicant, has been received, outlining the applicant's final comments in relation to the proposals. The letter states:

The Planning Officer has made a comprehensive assessment of the proposal and having taken account of all material planning considerations has issued a recommendation for approval.

There have been a number of objections to the proposal, which in the most part, relate to traffic concerns. The Highways Authority have dutifully responded to the plethora of information on highways matters.

A number of representations have been submitted by the Private Road Members Association who object to the proposal on highways grounds. It should be noted that the comments of the Association do not represent the majority of residents on the road who have not commented on the application. The majority of residents are unaffected by the proposal as the site sits at the end of Private Road and is well contained within its own private car park.

“Since the last Committee, the Private Road Members Association (PRMA) has submitted a highways report which is inaccurate, biased and makes a number of unsubstantiated conclusions. The report is supported by an email claiming that the applicant has sought to deceive the Committee on the true traffic situation by busing children on to the site from other locations. This is unsubstantiated and absurd. A nursery could not possibly expect parents to drop their children at another site nor would it go unnoticed if minibuses were arriving at regular intervals every day to drop off and collect children for this purpose. My client is deeply concerned with these allegations and wishes to make it clear that they have sought to work with the PRMA and has even attended a positive meeting to discuss the proposal as recently as 31st January. At no point during this meeting was this point raised.”

The Highway Authority has responded to the PRMA and have maintained their support for the proposal.

The report submitted by PRMA fails to grasp that the nursery is established and the modest increase will be offset by the improvements to the access and car park.

The proposal exceeds the requirements of the 6C's guidance in terms of parking provision (providing sufficient parking for a 66 place nursery).

The proposed alterations to the access and layout of the car park would alleviate congestion and allow for a better flow of cars into and out of the car park. It should be appreciated that children are dropped off and collected at various times throughout the day and it is extremely rare for the car park to be full. The survey provided by the applicant demonstrates that not all children arrive by car.

With the above in mind there is very good reason for Councillors to support the recommendation of the Officer and assessment of the Highway Authority and approve the planning application.

(Additional background papers:

- Letter from Aspbury Planning dated 20 January 2017)

4f 111 Harrington Drive

This application has now been withdrawn.