



ADDITIONAL AGENDA ITEMS

This is a supplement to the original agenda and includes reports that are additional to the original agenda.

NOTTINGHAM CITY COUNCIL
PLANNING COMMITTEE

Date: Wednesday, 18 April 2018

Time: 2.30 pm

Place: Ground Floor Committee Room - Loxley House, Station Street, Nottingham

Governance Officer: Zena West **Direct Dial:** 0115 8764305

AGENDA

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PLANNING COMMITTEE

UPDATE SHEET

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

18 April 2018

4a Morrisons Supermarket, Green Lane

1. In response to the re-consultation of local residents following the receipt of revised plans and an Acoustic Assessment, one further representation has been received from a local resident who also raised concerns in response to the original consultation. The comments relate to the Acoustic Assessment, in particular. The matters raised are:

- Properties in Wayne Close are not included in the Site Location Plan which outlines the 'noise sensitive areas' and queries this when the report states that the gardens in Wayne Close are in a noise sensitive area?
- Access road behind Wayne Close has no lorries currently and the change in noise levels will be marked. Only reference to Wayne Close in the report is in paragraph 6:17 where it is stated that vehicles traversing the service yard access road will be approximately 7m from the closest noise sensitive gardens on Wayne Close. This is not true and is therefore misleading.
- The boundary fence of 4 Wayne Close is adjacent to the road with no buffer of any sort and the lorries will therefore be 'traversing' alongside my back garden.
- The conclusion in the report, paragraph 7:3 states that, 'Deliveries to the proposed units will produce similar levels and character as the existing soundscape near the closest receptors. It is therefore considered that servicing activity would have no adverse effect.' This is simply not true.
- There are no large vehicles traversing the length of this road at present, any extra activity in the form of 12m lorries would change massively the 'character and soundscape of the area', particularly to residents living in Wayne Close.
- The final conclusion considers the proposals will have a negligible effect and will have a noise reducing effect on some of the receptors. The statement is not true and again could be construed as misleading.
- I suffered from severe noise intrusion when the Co-op store (now Morrisons) was originally built with no regard for its residential neighbours and this has continued for many years.
- The report suggests that '... retailers will ensure that any installed fixed plant and equipment does not exceed the cumulative design limit' and this is backed this up by saying 'such matters can be dealt with by way of a suitable imposed condition.' Conditions have been neither adhered to or enforced and what assurances can be given that this will not be the same here?
- Is it proposed to use the access road during construction. There is no mention of the noise this will generate and the detrimental effect this will have on the local residents if this is the case.

2. A report has also been received specifically relating to the Acoustic Assessment from a noise consultant acting on behalf of the resident whose comments are summarised above. This was received on 17.04.2018 and as a technical document the content needs to be assessed by Environmental Health and Safer Places. The report has also called into question the length of time which has been available for local residents to respond to the Acoustic Assessment.

1. The comments raised by the local resident as set out under point 1 are considered and addressed in the committee report and do not raise any new material issues. It is considered the conditions proposed would ensure that the amenity of local residents on Wayne Close will be adequately protected. In specific response to the concern about the effectiveness of planning conditions, there is no reason to pre-suppose that conditions would be breached and if there is evidence of this and it is resulting in harm to local residents, enforcement powers are available to remedy this.

2. To address the issue regarding consultation timescales identified by the objector's noise consultant, it is proposed that the recommendation be amended which would provide until 27.04.2018 for any further representations and will also enable the report to be assessed by Environmental Health and Safer Places. The proposed recommendation is therefore amended as follows:

2.1 Subject to the Chair and Vice Chair of Planning Committee and Opposition spokesperson, in consultation with the Chief Planner, being satisfied that there are no new material issues being raised as a result of the appraisal by Environmental Health and Safer Places of the representation received on 17.04.2018 on behalf of a neighbouring resident in response to the applicant's Acoustic Assessment, and of any further representations submitted no later than 27.04 2018 regarding the same, GRANT PLANNING PERMISSION subject to:

(a) Prior completion of a S106 planning obligation which shall include:

A financial contribution of £30,000 towards improvements to the pedestrian link between the application site and Southchurch Drive ; and

(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 terms of the S106 planning obligation and the final of the conditions to be delegated to the Chief Planner.

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 The Committee are satisfied that the planning obligation sought would not exceed the permissible number of obligations according to the Regulation 123(3) Community Infrastructure Levy Regulations 2010.

3. Condition 26 requires amending to read:

“Units C-F shall not be amalgamated without the prior consent of the Local Planning Authority”.

Additional background papers (Email from local resident received 12.04.2018, Report from MAS Environmental received 17.04.2018)

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