

# PLANNING COMMITTEE

## UPDATE SHEET

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

19 February 2014

### 4(a) Victoria Centre, Milton Street

#### **Additional conditions**

A number of additional conditions and an amendment to one informative are recommended in relation to the proposed access and egress arrangements to the car park, the servicing strategy for the development, the elevational treatment of the Mansfield Road frontage and the undertaking of a safety audit of the Mansfield Road frontage:

1. No part of the development shall be brought into use until the proposed access and egress arrangements to the Union Road car park entrance and a car park management plan (to include operational and managerial information) have been implemented in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the access and egress arrangements and the car park management plan shall be operated in accordance with the approved scheme.

*Reason: To avoid potential harm to bus operation on Mansfield Road ensure and to ensure the overall efficient operation of the car park in accordance with Policy T3 of the Local Plan.*

2. No part of the development shall be brought into use until details of a strategy for managing the servicing of the development have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the servicing of the development shall be operated in accordance with the approved scheme.

*Reason: To ensure that the traffic effects of the development are mitigated in the interests of highway and pedestrian safety in accordance with Policies BE2 and T3 of the Local Plan.*

3. Notwithstanding the approved drawings no above ground development shall be commenced until revised elevations of the Mansfield Road and bus station frontage of the development have been submitted to and approved in writing by the Local Planning Authority.

*Reason: To ensure that the appearance of the development will be satisfactory and in accordance with Policies BE2 and BE3 of the Local Plan.*

Condition 16 to be amended to now read:

No development shall be commenced until the detailed designs of the proposed highway works, shown in principle only on Capita Symonds drawing number CS45087/T/133 Rev F and including a programme for their installation, have been submitted to and approved in writing by the Local Planning Authority. The works shall be constructed out in accordance with the approved details.

The following additional sentence is proposed to be added to informative 14 : The scheme will go through a full Road Safety Audit as part of the Section 278 and as such, minor amendments to the highways works plan referred to in condition 16 may occur.

#### **Further commentary on the leisure need and impact assessment**

This was submitted with the application and assesses the leisure impact and need for the proposed extension to the Victoria Centre. The proposed development includes a 10 screen multiplex cinema, health and fitness club, fast food outlets and restaurants. As part of this a cinema impact assessment was carried out. This involved identification of consumer demand and cinema supply using 2011 as the base year for assessment and 2017 as the design year. The analysis of this, using the results of accepted research, is that there is significant potential for new cinema screens in Nottingham. The capacity figures suggest that there is scope for 17 additional screens in 2017, increasing to 19 in 2021. The assessment then examined the pattern of trips to the Victoria Centre cinema and the impact upon cinemas within the study area. It acknowledges that the proportional impact on cinemas within the study area will fall on Nottingham cinemas but concludes that existing cinemas would continue to trade above optimum levels and that it would therefore be unlikely that any cinema would be forced to close due to the impact of the proposed Victoria Centre cinema.

Nottingham currently has four main cinemas providing 35 screens and 7024 seats compared with four cinemas with 35 screens and 7177 seats in Derby.

#### **Further commentary on Nottingham's retail offer**

A report was produced by Experian in July 2012 which assessed retail supply within Nottingham City Centre. Key headlines were:

Nottingham's retail rank has fallen from 3rd in 2001 to 8th in 2011;

Nottingham has a lower amount of retail floorspace than Liverpool, Manchester and Birmingham;

An additional department store is required to elevate Nottingham in the national retail hierarchy;

Nottingham's comparison goods provision could be enhanced by retailers who are currently not present in the city centre when compared to national and regional benchmark centres;

There is a high proportion of leakage to local competing centres;

Nottingham retains 37% of shoppers living within its primary and secondary catchment;

Nottingham has many strengths that can be built upon to enhance the retail economy;

There is considerable opportunity for retail growth within Nottingham given the right strategy.

(Additional background papers: Experian Report on Nottingham's retail offer (July 2012))

#### **4(b) New College Nottingham, Stockhill Lane**

A letter has been received from the applicant requesting an adjustment to the timescales for some of the conditions to allow details to be agreed on a phased basis rather than prior to the commencement of any development on site.

Amended plans to show the retention of a greater expanse of Bulwell stone wall along the Nuthall Road frontage, have been received.

***The applicant's request to reconsider timescales for the submission of details by condition is considered to be reasonable. The final wording of the conditions will be agreed prior to the decision notice being issued.***

***The amendment to the Bulwell stone wall is considered to be an enhancement to the overall scheme and as such is considered to be acceptable.***

(Additional background papers: Amended plans: 0110\_PLI\_D\_95\_004 Rev 07, 0110\_PLI\_D\_90\_001 Rev 07, 0110\_PLI\_D\_95\_006 Rev 07)

#### **4(c) Trent Basin and Land to West of Trent Lane**

##### Corrections

The site description should refer to land to the West of Trent Lane, not East.

Para. 7.13 of the report refers to the proposed material finishes to the buildings as having brickwork and render façades. This is incorrect in that the building facades are proposed to be constructed entirely in brick, using three brick types that will be displayed at Committee.

##### Flood Risk

It is considered that further explanation of the flood risk aspects of the proposed development should be provided. Para 7.21 of the report states that the site falls within Flood Zones 1 (Low Probability) and 2 (Medium Probability). To clarify this point further, only part of the site is within these zones, being that part closer to the River Trent to a point at approximately half of the length of the Basin area. The remaining part of the site towards Daleside Road is not at any risk.

Flood Zone 1 is defined as land having less than 1 in 1,000 year probability of flooding. Flood Zone 2 is that having between 1 in 100 and 1 in 1,000 year probability of flooding.

It is important to note that the flood designation of areas does not take into account the presence of flood defences or other structures such as culverts or minor watercourses. Significantly, the site is now afforded additional protection following the completion of the Nottingham Left Bank Flood Alleviation Scheme.

A Flood Risk Assessment (FRA) has been submitted with the application and has been reviewed by the Environment Agency. This has assessed the risk of flooding from a range of sources, including fluvial (river), groundwater, reservoir (flood plain failure), sewer, and pluvial (rainwater flash flood). Taking all of these risks into account, it has been determined that the primary flood risk mitigation measures would include setting minimum floor levels at 24.60 AOD and that no basements are used within the development.

The Environment Agency concurs with the recommendations of the FRA and, subject to appropriate planning conditions that are included in the draft planning permission that is appended to the Committee report, has no objection to the proposed development on this basis.

## Waterside Safety

A concern has also been raised about waterside safety. When the development is complete, the waterside areas will incorporate appropriate details to manage the risks inherent in waterside developments. However, it is recognised that due to the phased nature of the scheme there will potentially be long periods where residents will live adjacent to undeveloped land where there will be a heightened risk from water. It is therefore recommended that condition 5 be amended to include an additional item:

“5. Details of arrangements for securing construction sites and any remaining undeveloped areas of the site.”

### **4(d) Cranwell Road**

The two apartment blocks have been omitted from the application due to outstanding design and access issues and it now comprises the houses and bungalows only.

Heritage and Urban Design observations:

The scheme represents a welcome improvement compared to the buildings currently occupying the site. It is a difficult site in terms of the levels and access restrictions. The elevational treatments are considered acceptable.

### **4(e) 280 Nottingham Road**

1. Revised plans received 12/2/14 showing fencing to the side of the building brought forward and reflective glazing to the Nottingham Road windows.

2. Additional letter and two further emails of support for a low-cost supermarket in the area, accessible by foot. Also supportive of the improvements to the appearance of the area.

3. Letter of objection from the operator of a nearby shop, noting the impact of supermarkets on small shops and that it is wrong of the Council to support large supermarkets over small businesses.

***Overall retail impact of the proposal is addressed in the report. Competition between individual shop operators is not a material planning consideration.***

(Additional background papers: Revised plans received 12/2/14)