

REPORT OF CHIEF PLANNER

Trent Basin And Land To West Of Trent Lane, Trent Lane

1 SUMMARY

Application No: 17/01385/PRES4 for approval of reserved matters

Application by: Mr Dominic Page on behalf of Blueprint (General Partner) Limited

Proposal: Application for approval of reserved matters (layout, scale, appearance and landscaping) for Phase 2B of Planning Permission 13/03029/PFUL3, comprising 10 dwellings, public realm, hard and soft landscaping and associated works.

The application is brought to Committee at the request of a ward councillor.

To meet the Council's Performance Targets this application should be determined by 25th September 2017

2 RECOMMENDATIONS

APPROVE RESERVED MATTERS for Phase 2B of Planning Permission 13/03029/PFUL3 subject to the conditions substantially in the form of those in the draft decision notice at the end of this report.

3 BACKGROUND

- 3.1 Outline Planning Permission for the redevelopment of the Trent Basin site for up to 160 dwellings, including full details of the first phase of 2/3 storey townhouses and 6-storey block of apartments was granted on 30 June 2014. Phase 1 of the development, comprising 35 houses and 10 apartments, has now been completed and the majority of the dwellings are now occupied.
- 3.2 An illustrative masterplan was provided with the outline application to indicate the likely structure and character of development beyond the first phase, with the indication that there would be five phases in total. The location of the proposed Phase 2 (A & B) of development accords with the illustrative masterplan, being located between Phase 1 and the river. The details of Phase 2A of was considered by Committee on 22 February 2017 and, following design amendments, was approved on 23 June 2017.

4 DETAILS OF THE PROPOSAL

- 4.1 The application provides full details of the proposed layout, scale, appearance and landscaping of Phase 2B. The conditions of the Outline Planning Permission also require the submission of further details e.g. external materials, surfacing,

landscaping, finished floor levels, drainage, before the development of each phase commences and a separate submission of these details has been made.

- 4.2 There would be 10 dwellings within this phase, which would continue the pattern of development that has been approved within Phase 2A. The proposed townhouse style of development would be 3 and 4 storey fronting onto the riverside and onto Trent Lane, with an internal courtyard space providing access and car parking spaces in addition to undercroft refuse and cycle storage spaces.

5 CONSULTATIONS AND OBSERVATIONS OF OTHER OFFICERS

Adjoining occupiers consulted:

Apartments 1-10, 31 Portside Street
30-48(e) Portside Street
1-24 Navigation Street
80-84(e) Trent Lane
Maythorn Mill, Trent Lane
The Flat, Park Yacht Inn
Park Yacht Inn, Trent Lane
Daleside Shopfitters, Trent Lane
A E Industrial And Air Equipment, Trent Lane
Gunn And Moore, Trent Lane
McCann Homes Ltd

The application has also been advertised by press and site notices.

One Councillor and one neighbour response has been received.

Councillor Mellen: Objection. Believe that off street parking should be provided for every home and the developer should not be relying on street parking on the main road into the development so early in the Trent Basin development.

Neighbour: Concerned that this phase appears to consist of 10 sizable houses with only parking for 7 cars. If this trend continues through future phases I fear it will lead to congestion and potential conflict between residents. The as built Phase 1 has an acceptable one space per home plus a few additional visitor spaces. Also concerned that the original plan was to have an apartment block, with a sizeable green public open space next to the Trent, which has now been considerably reduced by the increased building footprint.

Additional consultation letters sent to:

Highways: TBC

Environmental Health: No objection.

Environment Agency: No objection.

6 RELEVANT POLICIES AND GUIDANCE

National Planning Policy Framework:

- 6.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policies. While planning applications still need to be determined in

accordance with the development plan unless material planning considerations indicate otherwise, the NPPF is a material consideration in the assessment of this application.

- 6.2 The NPPF advises that there is a presumption in favour of sustainable development. Paragraph 17 of the NPPF lists the core planning principles that should underpin decision making on planning applications. Of particular relevance to this application is the need to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, and to contribute to conserving and enhancing the natural environment and support the transition to a low carbon future.
- 6.3 Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development.
- 6.4 Paragraphs 56-64 of the NPPF sets out the approach for achieving good quality design, including responding to local character, creating a strong sense of place and resisting poor design that fails to take opportunities to improve the character and the quality of an area.
- 6.5 Paragraph 96 states that new development should be expected to take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.
- 6.6 Paragraph 111 states that planning decisions should encourage the effective use of land by re-using land that has been previously developed.
- 6.7 Paragraph 118 states that local planning authorities should aim to conserve and enhance biodiversity by applying a range of principles including that if significant harm cannot be avoided, mitigated or as a last resort compensated, then permission should be refused.
- 6.8 Annex 1 states that the NPPF aims to strengthen local decision making and reinforce the importance of up-to-date plans. For the purpose of decision-taking, the policies in the Local Plan should not be considered out-of-date and are to be afforded weight in accordance with their conformity with the NPPF.

Nottingham Local Plan (November 2005):

H2 – Density

NE5 - Trees.

T3 - Car, Cycle and Servicing Parking.

Aligned Core Strategies (September 2014)

Policy 1 - Climate Change

Policy 10 - Design and Enhancing Local Identity

Policy 17 - Biodiversity

7. APPRAISAL OF PROPOSED DEVELOPMENT

Main Issue

Layout, Design and Parking (Policies 10, H2 and T3)

- 7.1 The proposed layout of Phase 2b has evolved from the illustrative Masterplan submission and, in conjunction with Phase 2a, has increased the density of development within this combined phase, primarily through the introduction of a mews street within Phase 2a. The pedestrianisation and greening of the riverside edge of the site is a further notable change, which has also altered vehicle access to the proposed houses other than those with a frontage onto Trent Lane.
- 7.2 The proposed layout is compact and therefore places an emphasis upon the quality of design of the houses and public realm. The proposal for Phase 2b is for a range of 3 and 4-bed townhouses, having private roof terraces, balcony and patio spaces. It is to be noted that the pedestrianised and green environment of the riverside edge and semi-private nature of the proposed internal courtyard space will also provide shared areas of public realm for occupants of the development.
- 7.3 The 3 and 4 storey scale of the proposed townhouses will continue the scale of the townhouses within the approved Phase 2A proposals, with the 4 storey elements providing appropriate emphasis to their corner positions at the end of Trent Lane and the internal mews street. The proposed townhouses will also have a design relationship to Phase 2A whilst also representing a distinctive architectural style of its own. Brick colour is also intended to build upon the established palette of materials and local brick vernacular.
- 7.4 In resolving to provide a pedestrianised and green edge to the riverside, vehicle access and car parking aspects of the layout have consequently become more challenging. The proposed perimeter structure of the block allows for 7 car parking spaces within the internal courtyard space that would be created. In response to this shortfall of spaces, the applicant has proposed that three of the dwellings with frontages onto Trent Lane would have unallocated car parking, which are to be proposed as resident permit only spaces under a Traffic Regulation Order submission. The applicant also advises that they are committed to Trent Basin as an exemplar sustainable development and will help residents where possible to reduce car use and to embrace greener forms of travel including walking, cycling and public transport. Provision of a car club vehicle has already been agreed and is to be developed further in future phases. Whilst the concerns of Councillor Mellen and the neighbouring resident are acknowledged and understood, it is considered that the proposed layout has maximised the number of potential car parking spaces whilst maintaining the quality of design of the houses and public realm and that the developments' use of this section of Trent Lane for a limited number residents car parking spaces is reasonable. With a Traffic Regulation Order being anticipated to formalise these spaces for residents use, it is recommended that a planning condition is attached to require the submission of an application for such an order prior to the commencement of the development.
- 7.5 It is therefore considered that the proposed layout and design of development accords with Policies 10, H2 and T3.

8. SUSTAINABILITY / BIODIVERSITY (Policies 1, 17 and NE5)

- 8.1 Phase 1 of the Trent Basin development has used a 'fabric-first' approach to minimise energy consumption. Dwelling construction is to be highly efficient, significantly reducing annual energy consumption. This is to be achieved through super-high insulation, absolute air tightness and the orientation of buildings to harvest the sun's energy through south-facing windows. This measure is also independent of renewable energy technologies, which are able to be installed at the purchasers' request. It is considered that a 'fabric-first' approach is an appropriate means to achieve carbon reduction targets and accords with Policy 1.
- 8.2 Significant change has been made to the riverside edge of the proposed development, now designed to be used by pedestrians and cyclists only and with a wide landscaped strip up to the front boundaries of the riverside townhouses. The concept of excluding vehicles from the riverside edge and providing softer and landscaped edge to the river will also significantly enhance the opportunity for ecological enhancement and the landscaping details for this phase are expected to reflect this approach, to be in accordance with Policy NE5 and Policy 17.

9 FINANCIAL IMPLICATIONS

None.

10 LEGAL IMPLICATIONS

The issues raised in this report are primarily ones of planning judgement. Should legal considerations arise these will be addressed at the meeting.

11 EQUALITY AND DIVERSITY IMPLICATIONS

None.

12 RISK MANAGEMENT ISSUES

None.

13 STRATEGIC PRIORITIES

Ensuring Nottingham's workforce is skilled.

14 CRIME AND DISORDER ACT IMPLICATIONS

None.

15 VALUE FOR MONEY

None.

16 List of background papers other than published works or those disclosing confidential or exempt information

1. Application No: 17/01385/PRES4 - link to online case file:

<http://publicaccess.nottinghamcity.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=ORVVEXLY14K00>

2. Environment Agency, 12.7.17

3. Neighbour, 27.7.17
4. Environmental Health, 7.8.17

17 Published documents referred to in compiling this report

Nottingham Local Plan (November 2005)

Contact Officer:

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0 0.025 0.05 km



Key

 City Boundary

Description

No description provided



Nottingham
City Council

My Ref: 17/01385/PRES4 (PP-06158163)
Your Ref:
Contact: Mr Jim Rae
Email: development.management@nottinghamcity.gov.uk



**Nottingham
City Council**

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Date of decision:

**TOWN AND COUNTRY PLANNING ACT 1990
APPLICATION FOR APPROVAL OF RESERVED MATTERS**

Application No: 17/01385/PRES4 (PP-06158163)
Application by: Blueprint (General Partner) Limited
Location: Trent Basin And Land To West Of Trent Lane, Trent Lane, Nottingham
Proposal: Application for approval of reserved matters (layout, scale, appearance and landscaping) for Phase 2B of Planning Permission 13/03029/PFUL3, comprising 10 dwellings, public realm, hard and soft landscaping and associated works.

Nottingham City Council as Local Planning Authority hereby **APPROVES** the reserved matters described in the above application subject to the following conditions:-

Pre-commencement conditions

(The conditions in this section require further matters to be submitted to the local planning authority for approval before starting work)

1. The approved development shall not be commenced until an application for a Traffic Regulation Order for the provision of residents parking spaces on Trent Lane in accordance with the preliminary details that have been provided within BWB drawing Ref: TBN-BWB-GEN-XX-DR-TR-100 (S2 Rev P3) has been submitted to the Local Highway Authority and notified to the Local Planning Authority.

Reason: In the interests of ensuring that appropriate measures are made to provide car parking spaces for the approved development in accordance with Policy T3 of the Nottingham Local Plan.

Pre-occupation conditions

(The conditions in this section must be complied with before the development is occupied)

There are no conditions in this section.

Regulatory/ongoing conditions

(Conditions relating to the subsequent use of the development and other regulatory matters)

There are no conditions in this section.

Standard condition- scope of permission



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S1. Except as may be modified by the conditions listed above, the development shall be carried out in complete accordance with the details described in the following drawings/documents:
Drawing reference 595_SK001 revision Rev A
Drawing reference 595_SK002 revision Rev A
Drawing reference 595_SK003 revision Rev A
Drawing reference 595_SK004 revision Rev A
Other reference 595_TB PH2B_170726
Drawing reference TBN-BWB-GEN-XX-DR-TR-100 revision S2 Rev P3

Reason: To determine the scope of this permission.

Informatives

Where a condition specified in this decision notice requires any further details to be submitted for approval, please note that an application fee will be payable at the time such details are submitted to the City Council. A form is available from the City Council for this purpose.

Your attention is drawn to the rights of appeal set out on the attached sheet.



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RIGHTS OF APPEAL

Application No: 17/01385/PRES4 (PP-06158163)

If the applicant is aggrieved by the decision of the City Council to impose conditions on the grant of permission for the proposed development, then he or she can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Any appeal must be submitted within six months of the date of this notice. You can obtain an appeal form from the Customer Support Unit, The Planning Inspectorate, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Phone: 0117 372 6372. Appeal forms can also be downloaded from the Planning Inspectorate website at <http://www.planning-inspectorate.gov.uk/pins/index.htm>. Alternatively, the Planning Inspectorate have introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal - see www.planningportal.gov.uk/pes.

The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay.

The Secretary of State need not consider an appeal if the City Council could not for legal reasons have granted permission or approved the proposals without the conditions it imposed.

In practice, the Secretary of State does not refuse to consider appeals solely because the City Council based its decision on a direction given by him.

PURCHASE NOTICES

If either the City Council or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. This procedure is set out in Part VI of the Town and Country Planning Act 1990.

COMPENSATION

In certain limited circumstances, a claim may be made against the City Council for compensation where permission is refused or granted subject to conditions by the Secretary of State. The circumstances in which compensation is payable are set out in Section 114 of the Town & Country Planning Act 1990.



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