

RECORD OF OFFICER DECISION

Local Government (Executive Arrangements) (Meetings and Access to Information) (England)
Regulations 2012.

Type of decision: Material decision

Decision Date: 13th June 2023

Decision Maker: Graham Nelson, Executive Director Development and City Services

Decision status: Is Key decision? No

Is subject to call in? No

Decision details:

To allocate Nutrient Neutrality mitigation credits from the Council's Retrofit scheme to the remaining priority sites in top 10 priority sites list as agreed b Cabinet 10 December 2022, with the exception of Mile Cross Depot and Three Score Phase 4 (as no applications have been submitted to date), and to add the site at the Children's Centre at Eaton Grange, 40 Upton Road in recognition that 2 sites within the top 10 priority list have been approved without the need to draw mitigation, and this site was 11th in the priority list when Cabinet made their decision.

Reason for decision:

Decision delegated to Director, in consultation with portfolio holders for housing and community safety, and sustainable and inclusive growth in cabinet report of December 2022 (found [here](#)). Cllrs Stonard and Jones consulted in June 2023 and comfortable with the proposed decision. Rationale for which set out in attached note.

Alternative Options: None

Declarations of Interest: None

Reports considered by the decision maker: Report of the Head of Planning and Regulatory Services

Any background documents considered:

Documents appended to the report of the Head of Planning and Regulatory Services, the December 2022 Cabinet Report, Appropriate Assessment of the Council's mitigation scheme, Natural England's formal response.

Publication date: 31 July 2023

Member briefing note: Cllrs Stonard and Jones
Subject: Nutrient Neutrality - Council retrofit scheme
Date: 6th June 2023

Background

The Council's retrofitting scheme to partially mitigate nutrient neutrality was agreed by cabinet on 14th December 2022.

Authority is delegated to the Exec Director Dev & City Services in consultation with cabinet members for social housing and for sustainable & inclusive growth to:

- Finalise details of the interim approach subject to sign off by Natural England
- Determine the final cost at which nutrient credits shall be sold
- Allocate credits to further sites provided the headroom exists to do so.

The final details of the interim approach were agreed at a member briefing on 25th April along with the final cost at which nutrient credits would be sold.

At the same briefing, it was also agreed to reserve credits for the Anglia Square development. The application for that scheme, totalling 1100 dwellings, was considered at the meeting of Planning Applications Committee on 27th April. PAC resolved to approve the application, subject to completion of a Section 106 agreement. Completion of the agreement is expected in the next 2 to 3 weeks and a decision will be issued as soon as possible thereafter.

The portfolio holders also agreed, on the advice of officers, that no other schemes should be allowed to secure credits outside of the 'Top 10' list approved by Cabinet on 14th December 2022 until such time as sufficient monitoring of the programme of retrofitting the housing stock had demonstrated that deliver was on track. A decision on adding more schemes will come back to the executive Director and Portfolio holders as necessary, once monitoring has been undertaken.

The 'Top 10' list considered at cabinet is repeated below. Members are asked to note that the sites at Northumberland Street (34 dwellings) and at Swanton Road (3 pitches) have been removed as permission has been granted and NN mitigation was not required.

Since the briefing on 24 April, an issue has arisen with the site that was ranked 11th on the list presented to committee. Application 20/01579/F was recommended for approval at the meeting of PAC on 10th February 2022. The recommendation was subject to the completion of a Section 106 agreement to secure a contribution towards affordable housing. However, the agreement remained incomplete at the point the Council received the advice from NE that has stymied development since March 2022. The proposal was for the conversion of the Children's Centre at Eaton Grange, 40 Upton Road and new build units in the grounds and would have delivered 23 units.

The building has been vacant now for some time and, despite having been fenced off, has been the subject of break-ins and anti-social behaviour and is having an adverse impact on the amenity of the area.

It is suggested that, on the basis 2 sites have been removed from the top 10 list, these credits are allocated to the site at Upton Road in order to allow development to progress and remedy the issues being created by the dereliction of the property and the anti-social behaviour it is attracting.

There are no other sites which have been submitted since the December cabinet date which would meet the criteria to be included in the priority sites.

