

REPORT OF HEAD OF DEVELOPMENT MANAGEMENT AND REGENERATION

Victoria Centre Complex , Victoria Centre

1 SUMMARY

Application No: 13/02325/PFUL3 for planning permission

Application by: Nathaniel Lichfield & Partners on behalf of Intu Properties Plc

Proposal: Alterations to Glasshouse Street entrance.

The application is brought to Committee because Councillors have reviewed other recent schemes for the Victoria Centre.

To meet the Council's Performance Targets this application should be determined by 20 November 2013.

2 RECOMMENDATIONS

GRANT PLANNING PERMISSION for the reasons set out in this report, subject to the conditions substantially in the form of those listed in the draft decision notice.

Power to determine the final details of the conditions to be delegated to the Head of Development Management and Regeneration.

3 BACKGROUND

The application site is the eastern entrance into the Victoria Centre, which is on Glasshouse Street. The entrance doors are set back within a ramped recess. There is a pedestrian crossing over Glasshouse Street at this point.

4 DETAILS OF THE PROPOSAL

- 4.1 The proposals are for alterations to the appearance of the Glasshouse Street entrance to the Victoria Centre. The internal walls to the ramped entrance are proposed to be clad in stone coloured tile base with a white render finish above. The ceiling is proposed to be replaced in new plasterboard with feature downlights. The existing ramp would be resurfaced in granite paving. Externally, the entrance opening is proposed to be framed in stone coloured tile cladding and white render, with a polycarbonate cladding fascia panel above.

5 CONSULTATIONS AND OBSERVATIONS OF OTHER OFFICERS

Adjoining occupiers consulted:

The application has been advertised by a site notice.

Additional consultation letters sent to:

Urban Design: The proposed alterations will significantly improve the quality of appearance and finishes to this entrance.

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, which are set out in the report, the NPPF is a material consideration in the assessment of this application.
- 6.2 Paragraph 17 of the NPPF lists the core planning principles that should underpin decision taking 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.

Nottingham Local Plan (November 2005):

BE3 - Building Design.

7. APPRAISAL OF PROPOSED DEVELOPMENT

Main Issue

(i) The design and appearance of the development (Policy BE3).

- 7.1 The existing entrance is an unattractive and uninviting access into the Victoria Centre, which is primarily due to its deep recess and dark blue/black facing brick construction.
- 7.2 Whilst it would be preferred that the recess is designed out and the entrance doors brought forward onto Glasshouse Street, the applicant has advised that this is not possible due to the position of a utilities substation and fire escape that are located on the ramp and require uninhibited external access/egress. The gradient of the ramp also needs to remain compliant with the Building Regulations, which would not be possible if a level threshold was introduced with entrance doors onto Glasshouse Street.
- 7.3 Despite these constraints, it is considered that the proposed alterations will significantly improve the appearance of this entrance. The stone coloured tile cladding and white render to the internal facades of the ramp will lighten its appearance. Downlighting along the length of the ramped entrance will also brighten this recess and discourage anti-social behaviour. The entrance is also covered by the internal CCTV system from within the Victoria Centre.
- 7.4 The use of the stone coloured tile cladding and white render to frame the entrance onto Glasshouse Street and polycarbonate cladding fascia above will mark out the entrance in the street scene. The polycarbonate cladding has been approved for use around the western clock tower entrance to the Victoria Centre and there is therefore a design logic in using the same material here.

7.5 It is considered that the proposed alterations will enhance the local environment, townscape and character of the area and will enhance community safety, crime prevention, and street activity in accordance with Policy BE3(a) and (d).

8. SUSTAINABILITY / BIODIVERSITY

None.

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

Ensuring that the accessibility of the building is maintained and improved.

12 RISK MANAGEMENT ISSUES

None.

13 STRATEGIC PRIORITIES

Neighbourhood Nottingham: Providing a high quality and sustainable development.

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: 13/02325/PFUL3 - link to online case file:
<http://publicaccess.nottinghamcity.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=MTOMWFLYCB000>

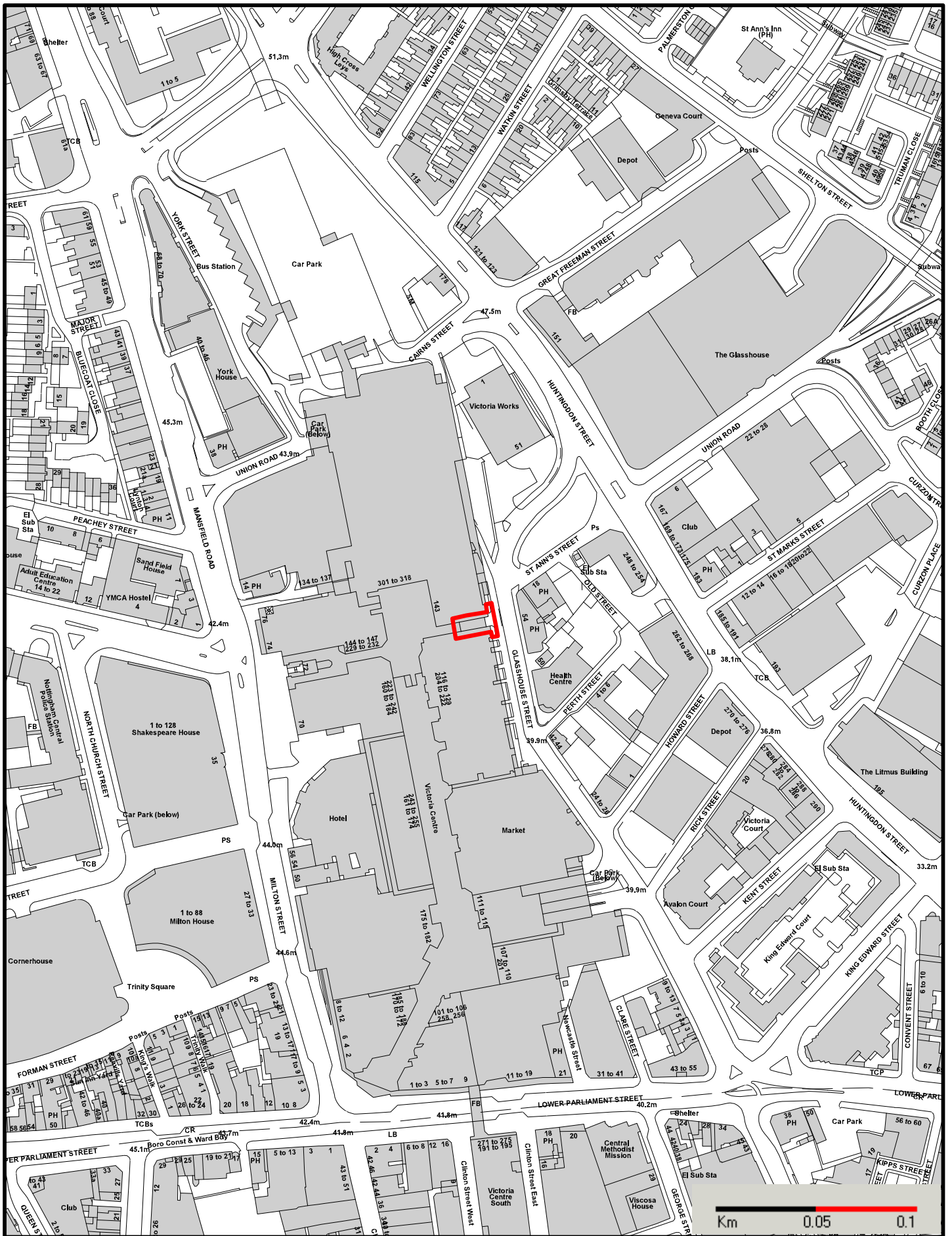
17 Published documents referred to in compiling this report

National Planning Policy Framework
Nottingham Local Plan (November 2005)

Contact Officer:

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Nottingham
City Council

My Ref: 13/02325/PFUL3 (PP-02907741)
Your Ref:
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Date of decision:

**TOWN AND COUNTRY PLANNING ACT 1990
APPLICATION FOR PLANNING PERMISSION**

Application No: 13/02325/PFUL3 (PP-02907741)
Application by: Intu Properties Plc
Location: Victoria Centre Complex , Victoria Centre, Milton Street
Proposal: Alterations to Glasshouse Street entrance.

Nottingham City Council as Local Planning Authority hereby **GRANTS PLANNING PERMISSION** for the development described in the above application subject to the following conditions:-

Time limit
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. <i>Reason: In accordance with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</i>
Pre-commencement conditions (The conditions in this section require further matters to be submitted to the local planning authority for approval before starting work)
There are no conditions in this section.
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

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 forms, drawings and other documents comprising the application as validated by the council on 25 September 2013.

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.

RIGHTS OF APPEAL

Application No: 13/02325/PFUL3 (PP-02907741)

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.