

NOTTINGHAM CITY COUNCIL

PLANNING COMMITTEE

MINUTES of the meeting held at Loxley House, Station Street, Nottingham on 19 November 2014 from 2.30 – 3.25pm

Membership

Present

Councillor Chris Gibson (Chair)
Councillor Liaqat Ali
Councillor Graham Chapman
Councillor Azad Choudhry
Councillor Rosemary Healy
Councillor Ginny Klein
Councillor Sally Longford
Councillor Eileen Morley
Councillor Wendy Smith
Councillor Roger Steel
Councillor Malcolm Wood

Councillor Mohammad Aslam
Councillor Toby Neal

(substitute for Councillor Clark)
(substitute for Councillor Edwards)

Absent

Councillor Cat Arnold
Councillor Alan Clark
Councillor Michael Edwards
Councillor Gul Nawaz Khan

41 APOLOGIES FOR ABSENCE

Councillor Arnold
Councillor Clark
Councillor Edwards
Councillor Khan

42 DECLARATION OF INTERESTS

None. However, Councillor Gibson reported that in relation agenda item 45 he had been lobbied by the applicants and by individuals in support of the scheme, having received a package of information and various emails. He advised that he had also received an email from Councillor Edwards as ward Councillor confirming that he opposed the scheme. Councillor Gibson considered that he was not by those circumstances prevented from keeping an open mind when determining the application.

43 MINUTES

The Committee confirmed the minutes of the meeting held on 22 October 2014 as a correct record and they were signed by the Chair.

44 SOCIETY LINEN AND ELECTRICITY SUBSTATION, DALESIDE ROAD - SITE OF

This item was deferred at the request of officers to be considered at the December 2014 meeting of the Committee.

45 UNITS 1 TO 4, QUEEN'S ROAD

Rob Percival, Area Planning Manager, introduced a report of the Head of Development Management and Regeneration on application 14/01809/PFUL3, submitted by Town Planning Services on behalf of Thames Water Pension Scheme Property Investment Fund, for the demolition of the existing buildings followed by the erection of a discount food retail store, alterations to the car park and associated works.

The Committee also considered additional information contained in the update sheet, copies of which had been placed around the table and which had also been published subsequent to the agenda publication.

Mr Percival reported that following an Environment Agency objection to the development, in the absence of any evidence to demonstrate that a flood risk Sequential test has been carried out officers suggested that a third reason for refusal be added as follows:

'In the absence of information to demonstrate that this is a sequentially preferable site, the development has failed to address the issue of flood risk contrary to Paragraph 100 of the NPPF and Policy NE10 of the Nottingham Local Plan (2005).'

By prior agreement from the Chair, Councillor Heaton, in her capacity as a ward Councillor, spoke in support of the application.

The main points made in her presentation were as follows:

- the proposed occupier, Aldi Stores, would provide social and economic benefit to the community in the form of employment opportunities and would meet a need for low-cost retail provision;
- the claimed prejudicial effect on redevelopment of the Southside Regeneration Zone was unconvincing;
- the reasons for refusal were primarily concerned with aesthetic considerations and flooding concerns and these were outweighed by the positive benefits of the scheme;

- the proposed building would be an improvement on the current streetscape of the Queens Road/London Road junction;
- the development would ensure Meadows residents have a retail store in their local vicinity, rather than having to travel to West Bridgford or the City Centre;
- the application was widely supported by residents in the local area.

During discussion amongst the Committee, the following comments were made:

- whilst the proposed occupier had marketed this as a store for use by Meadows residents, the fact that it was not more centrally and conveniently located for the Meadows meant that its primary trade would be from commuters rather than residents;
- the Council's expectations for this prominent site were such that the proposed single storey, single use, development was not acceptable. The social and economic benefits offered by the developer were appreciated, however, and the Council would continue to have discussions with Aldi Stores as its proposals for other locations came forward, and it was hoped that in those discussions Aldi would demonstrate a flexible approach towards design and layout in relation to those proposals;
- while Councillors had sympathy with the aspirations of the local community who had expressed support for the scheme, they did not feel that this proposal would be of great benefit to Meadows residents as the site location meant either a car journey or a long walk from the majority of the residential areas of the Meadows;
- while the requirement in relation to the flood risk assessment was a technical issue, and may in time be satisfied, it was outstanding at the time of determination of this application and hence an additional reason for refusal was recommended to address it;
- Officers had discussed with the applicant the unsuitability of the design of the store for this particular location and provided the opportunity to advance alternatives, but the applicants had not taken that opportunity.

Councillor Steel proposed that the Committee defer, rather than refuse, the application to allow for further discussion with the applicant. When put to the vote the deferment proposal was defeated by 12 votes to 1.

RESOLVED, by 12 votes in favour and 1 abstention, to refuse planning permission for the following reasons:

- (a) **the proposal does not represent, and would prejudice the delivery of, a comprehensive mixed used scheme that maximises the efficient development of this prominent and strategically important site within the Southside Regeneration Zone contrary to Paragraph 17 of the NPPF, Aligned Core Strategies Policies A, 4, 5 and 7 and the Nottingham Local Plan (2005) Policies ST1 and MU3.5;**

- (b) the proposed development, by reason of its scale, layout and design, would fail to deliver a high quality design appropriate for this prominent and strategically important site within the Southside Regeneration Zone. Furthermore, the proposal would fail to preserve or enhance the character and appearance of the Station Conservation Area and the grade II* listed Nottingham Station. The proposal is therefore contrary to Paragraphs 17, 56-60, 128-134 and 137 of the NPPF, the Aligned Core Strategies Policies 5, 7,10 and 11 and the Nottingham Local Plan Policies BE10, BE11 and BE12;**
- (c) in the absence of information to demonstrate that this is a sequentially preferable site, the development has failed to address the issue of flood risk contrary to Paragraph 100 of the NPPF and Policy NE10 of the Nottingham Local Plan (2005).**

46 OAKFORD CLOSE, BROXTOWE - LAND AT

Mark Lowe, Regeneration Manager, introduced a report of the Head of Development Management and Regeneration seeking authority to discharge a section 106 planning obligation which had been required by the Committee on 11 October 2007 when resolving to grant planning permission (07/01170/PFUL3) for the erection of 51 residential units at the former 11-67 Oakford Close. The discharge was necessary owing to the part development of the site due to the current financial climate and the Council's intentions with regard to its proposed purchase and development of the site.

RESOLVED

- (1) that the section 106 agreement with Gladedale (South Yorkshire) Limited in respect of Oakford Close, dated 19 March 2008 (as modified on 4 March 2009), is discharged by deed, such discharge to be effected contemporaneously with the transfer of part of the development site to the City Council;**
- (2) that authority to determine the final details of the deed of discharge be delegated to the Head of Development Management and Regeneration.**