

NOTTINGHAM CITY COUNCIL

PLANNING COMMITTEE

MINUTES of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 21 October 2015 from 14.30 - 15.53

Membership

Present

Councillor Chris Gibson (Chair)
Councillor Jim Armstrong
Councillor Graham Chapman (Minutes 31 - 36)
Councillor Azad Choudhry
Councillor Alan Clark
Councillor Michael Edwards (Minutes 34 - 38)
Councillor Rosemary Healy
Councillor Gul Nawaz Khan
Councillor Sally Longford
Councillor Wendy Smith
Councillor Malcolm Wood
Councillor Linda Woodings (Minutes 31 - 35 and 37 - 38)
Councillor Steve Young

Absent

Councillor Cat Arnold
Councillor Toby Neal
Councillor Brian Parbutt

31 APOLOGIES FOR ABSENCE

Councillor Cat Arnold (illness)
Councillor Toby Neal (other Council business)
Councillor Brian Parbutt (non-Council business)

32 DECLARATIONS OF INTERESTS

Councillor Linda Woodings declared a non-pecuniary interest in agenda item 4(c), 'Former Serck Radiator Services Ltd, Lambourne Drive' as she lives adjacent to the site. Councillor Woodings withdrew from the meeting during consideration of this item.

33 MINUTES

The minutes of the meeting held on 23 September 2015 were agreed as a true record and they were signed by the Chair.

34 SITE OF ASCOT WORKS, ASCOT ROAD

Rob Percival, Area Planning Manager, introduced the report of the Head of Development Management and Regeneration on an application submitted by Freeths on behalf of Westleigh Partnerships Ltd for planning permission for the residential development of 47 dwellings and associated works, including an area of amenity land to the southern part of the site (15/01928/PFUL3).

The application is brought to the Committee because it is a major application on a prominent site and where planning obligations relating to public open space and education are proposed to be waived, subject to a viability appraisal.

The Committee also considered additional information contained in the update sheet, which had been published subsequent to the agenda publication.

During discussion the Committee considered the following issues:

- a) The Committee welcomed a prominent affordable housing scheme and the inclusion of an area of amenity land to the southern part of the site. Concern was expressed about the maintenance of the amenity land and it was agreed to include the term 'maintenance' in the relevant condition.
- b) A general point was raised about the ability of developers to meet Section 106 requirements and it was concluded that Committee members would receive an update on the number of S106 contributions received and waived, together with an update on housing delivery in the city, specifically the number of schemes which have been approved that are currently in progress and those which are being 'banked' by developers.

RESOLVED

(1) Subject to:

- (a) The receipt of satisfactory amended plans for the layout;**
- (b) If determined appropriate following independent assessment of the applicant's viability appraisal, the prior completion of a Section 106 planning obligation to include financial contributions:**
 - (i) in lieu of on-site open space provision for security and infrastructure improvements to the Mill and Windmill Allotment sites up to a maximum of £88,713.56; and**
 - (ii) for the provision of school places in the area up to a maximum of £55,346.00.**

To grant planning permission subject to:

the indicative conditions substantially in the form of those listed in the draft decision notice and the additional conditions listed within the update sheet, with an amendment to condition 12 (amenity land) as detailed in the update sheet and to cover maintenance of the amenity land as follows:

- (i) "Notwithstanding the details shown on the approved drawings, the development shall not be commenced until details of the use, layout, works to, maintenance of and management of the area shown as 'amenity land', including a timetable for implementation, have been submitted to and approved in writing by the Local Planning Authority.**

The works shall be carried out and the land subsequently maintained and managed in accordance with the approved details and timetable.”

The power to determine the final details of the conditions of the planning permission to be delegated to the Head of Development Management and Regeneration.

- (2) The power to determine whether a Section 106 planning obligation is appropriate and if so the final details of the terms of the planning obligation to be delegated to the Head of Development Management and Regeneration subject to him being satisfied:**
- (a) that regulation 122(2) Community Infrastructure Levy Regulation 2010 is complied with, in that the planning obligation sought is:**
- (i) necessary to make the development acceptable in planning terms;**
 - (ii) directly related to the development; and**
 - (iii) fairly and reasonably related in scale and kind to the development; and**
- (b) that the Section 106 obligation(s) sought would not exceed the permissible number of obligations according to the Regulation 123 (3) Community Infrastructure Levy Regulations 2010.**
- (3) In principle, and subject to the results of the viability appraisal assessment, that Councillors are satisfied that the considerations listed in paragraphs 7.16 of the report form sufficient reason to depart from the Council’s normal policy in respect of any Planning Obligation which would normally be sought for this development.**

35 LAND BOUNDED BY BEACON HILL RISE, LIMMEN GARDENS, DENNET CLOSE AND FLEWITT GARDENS

Martin Poole, Area Planning Manager, introduced the report of the Head of Development Management and Regeneration on an application submitted by BM3 Architecture Ltd on behalf of Keepmoat Homes Ltd for planning permission for 42 private dwellings for sale on the open market (15/02191/PFUL3). The site forms part of the overall Stonebridge Park regeneration project.

The application is brought to the Committee because it relates to a major development of significant local interest.

The Committee also considered additional information contained in the update sheet, which had been published subsequent to the agenda publication.

During discussion the Committee considered the following issues:

- (a) Sufficient lighting will be provided along the footpaths and cycle routes throughout the development.**

- (b) The frontages and canopy details are considered to be well proportioned, with contemporary detailing. This is consistent throughout the development.

RESOLVED to

- (1) Grant planning permission subject to the conditions listed in the draft decision notice and the additional conditions listed within the update sheet;**
- (2) Delegate power to determine the final details of the conditions to the Head of Development Management and Regeneration.**

36 FORMER SERCK RADIATOR SERVICES LTD, LAMBOURNE DRIVE

Rob Percival, Area Planning Manager, introduced the report of the Head of Development Management and Regeneration on an application submitted by Zenith Planning and Design on behalf of Wollaton Development Ltd for planning permission for a 44 bed residential care home fronting onto Lambourne Drive. (15/01997/PFUL3).

The application is brought to the Committee because it has generated significant public interest.

During discussion the Committee considered the following issues:

- a) The use of an internal sprinkler system is controlled by Fire Regulations and would be raised with the applicant.
- b) The use of external lighting is managed by condition 8 and dictates that the scheme will include precise details of any proposed external lighting of the site including luminance level details.

Councillor Linda Woodings, who had left the room during the discussions on this item, did not participate in the discussions or vote on this matter.

RESOLVED to:

- (1) Grant planning permission subject to the indicative conditions listed in the draft decision notice;**
- (2) Delegate power to determine the final details of the conditions to the Head of Development Management and Regeneration.**

37 THE ROYAL CENTRE, THEATRE SQUARE

Martin Poole, Area Planning Manager, introduced the report of the Head of Development Management and Regeneration on an application submitted by Marsh Grochowski on behalf of Nottingham Theatre Royal and Royal Concert Hall for planning permission for a series of alterations, including the creation of an external café terrace area at ground floor level on South Sherwood Street and a gridshell canopy which would also partially cover the existing first floor terrace

(15/02319/PFUL3). The application is also brought to the Committee for listed building consent for improved disabled access and refurbishment works to a listed building (15/02460/LLIS1).

The application is brought to the Committee because the development is a prominent site where there are sensitive design and heritage considerations.

The Committee also considered additional information contained in the update sheet, which had been published subsequent to the agenda publication.

During discussion the Committee considered the following issues:

- (a) The Committee welcomed the innovative design proposals but sought assurances that the building works would not adversely encroach on what is a major pedestrian area. All the necessary Highway licensing regulations would need to be adhered to whilst works are underway.
- (b) A degree of definition is added to the frontage with the use of bollards and seating however, consideration needs to be given to ensure adequate lighting is in place to allow members of the public to exit safely. As part of the conditions, a Highway Impact Assessment might provide some reassurance to the Committee by taking a closer look at lighting, vulnerable people and the use of the frontage space.

RESOLVED to

- (1) Grant planning permission subject to the indicative conditions substantially in the form of those listed in the draft decision notice;**
- (2) Grant listed building consent subject to the indicative conditions substantially in the form of those listed conditions listed in the draft decision notice;**
- (3) Delegate power to determine the final details of the conditions to the Head of Development Management and Regeneration.**

38 CHARNWOOD CENTRE, FARNBOROUGH ROAD

Rob Percival, Area Planning Manager, introduced the report of the Head of Development Management and Regeneration on an application submitted by ARV Design Ltd on behalf of Central College for planning permission for a new sports hall and associated works (15/01307/PFUL3).

The application is brought to the Committee because it relates to development in the Green Belt that is a departure from the development plan.

The Committee also considered additional information contained in the update sheet, which had been published subsequent to the agenda publication.

During discussion the Committee considered the following issues:

- (a) The proposal for a new sports hall is consistent with other educational institutions alongside Farnborough Road.
- (b) There has been an objection regarding the view of the proposed sports hall from Fairham Brook and beyond to the east. To minimise the visual impact upon the Green Belt, a low impact approach has been taken in the siting, design and scale of the sports hall. The hall would be set well back from Farnborough Road and would largely be hidden from view by the existing college buildings to the front of it.

RESOLVED to

- (1) Consult with the Secretary of State in order to decide whether he wishes to call in the application for his determination as a departure from the Saved Local Plan;**
- (2) Grant planning permission subject to the application not being call in and subject to the conditions listed in the draft decision notice;**
- (3) Delegate power to determine the final details of the conditions to the Head of Development Management and Regeneration.**