

## **NOTTINGHAM CITY COUNCIL**

### **PLANNING COMMITTEE**

**MINUTES of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 20 April 2016 from 14.31 - 16.35**

#### **Membership**

##### Present

Councillor Chris Gibson (Chair)  
Councillor Jim Armstrong  
Councillor Graham Chapman  
Councillor Azad Choudhry  
Councillor Alan Clark  
Councillor Michael Edwards  
Councillor Sally Longford  
Councillor Brian Parbutt  
Councillor Wendy Smith  
Councillor Malcolm Wood  
Councillor Linda Woodings  
Councillor Steve Young

##### Absent

Councillor Cat Arnold  
Councillor Rosemary Healy  
Councillor Gul Nawaz Khan  
Councillor Toby Neal

Councillor Patience Uloma Ifediora  
(Substitute for Councillor Cat Arnold)

#### **Colleagues, partners and others in attendance:**

Councillor Georgina Culley  
Councillor Steve Battlemuch  
Councillor Sarah Piper  
Councillor Dave Trimble  
Paul Seddon - Head of Planning  
Rob Percival - Area Planning Manager  
Ann Barrett - Senior Solicitor  
Nigel Turpin - Heritage and Urban Design Manager  
Lisa Guest - Principal Highways Officer, Development Control  
Helen Pearson - Highways Development Control  
Catherine Ziane-Pryor - Governance Officer

#### **54 APOLOGIES FOR ABSENCE**

Councillor Cat Arnold (other Council business), Councillor Patience Uloma Ifediora attended as her substitute,  
Councillor Rosemary Healy (other Council business)  
Councillor Gul Khan (personal)

## **55 DECLARATIONS OF INTERESTS**

Councillor Edwards, although not declaring an interest, in relation to Agenda item 4d (minute 57c), Riverside Building, Riverside Way, informed the Committee that:

- he had been employed within the railway industry for more than 20 years and still has connections, including membership of professional bodies within the industry. This did not preclude him from speaking as a ward councillor on the item.

Councillor Steve Young, although not declaring any interests indicated that:

- in relation to Agenda item 4a (minute 57d), Site of 522 Derby Road, informed the Committee that he lives on Derby Road but not near enough to the site to preclude him from speaking or voting on the item;
- in relation to Agenda item 4d (minute 57c), Riverside Building, Riverside Way, that he had been also been employed within the railway industry and still has connections, including membership of a pension fund within the industry, although this did not preclude him from speaking or voting on the item.

## **56 MINUTES**

The minutes of the meeting held on 23 March 2016 were conformed as a true record by the Committee and signed by the Chair.

## **57 PLANNING APPLICATIONS: REPORTS OF THE HEAD OF DEVELOPMENT AND REGENERATION**

### **a UON, BIOMOLECULAR SCIENCES DEPARTMENT, PHASES 3 & 4** (Agenda Item 4b)

Prior to the Committee's consideration of the application and with the Chair's agreement, Councillor Sarah Piper made a verbal representation in her capacity as Ward Councillor, which is summarised as follows:

Councillor Sarah Piper and Councillor Dave Trimble had surveyed the views of residents of Highfield Road, whose gardens backed onto the proposed development site, and found that not all had been aware of the proposals. Three objected, one of whom has since formally objected.

The main concerns of residents are that:

- (i) the proposed building is too high and too close to residential gardens, meaning that residents will be overlooked. In addition, the height of the proposed development breaks away from the previous planning height lines on the site, being significantly higher than that of the majority of adjacent builds on the site;
- (ii) residents have already experienced extensive disruption and disturbance during the building of the tram route and are concerned that construction traffic, activity, noise and debris will again impact on their day-to-day living. Residents are requesting that

site work does not take place outside of normal working hours and that the site is not accessed near to their homes;

- (iii) there are environmental concerns regarding the air quality and emissions from the buildings if the development takes place. Residents are requesting that the University publish emission readings on their website;
- (iv) finally, residents are requesting that due to the underground noise transmission from piling, especially as there is a nearby underground lake which is likely to amplify noise, that any plans for piling work are very carefully considered and sensitive to residents.

Rob Percival, Area Planning Manager, introduced the report of the Head of Development Management and Regeneration on application reference 16/00315/PFUL3, submitted by Benoy on behalf of The University Of Nottingham for planning permission for two laboratories, office and research buildings (Biomolecular Sciences Phases III and IV) and associated works. The application is being brought to Committee due to the prominent location of the site which raises design considerations. Objection has also been raised by the ward councillors.

Rob Percival delivered a brief presentation to accompany the report, which included a summary of the application, a plan of the existing and proposed site and computer generated images of the proposed development.

The Committee were directed to the update sheet which had been issued earlier in the day and included additional information, representations and requests for alterations, including concerns regarding potential roof lighting, and recommended alterations to the conditions.

Members of the Committee commented as follows:

- (a) not all local councillors had received complaints regarding the proposed development;
- (b) while appreciating the design of the development, resident's concerns regarding construction noise and general activity is acknowledged, especially following the recent tram works;
- (c) reconsideration of the windows facing towards the houses, such as using frosted glass, could help ease resident's concerns;
- (d) having a named contact at the University so residents can make complaints during construction would to will be helpful to re-enforce the working restrictions;
- (e) the storage of hazardous materials within the development and the type of emissions from the development were questioned.

Rob Percival responded to member's questions as follows:

- (f) National Legislation, separate to planning legislation, controls emissions, air quality and noise pollution, along with tight controls of how potentially hazardous materials can be stored and used so it is not appropriate for Planning Committee to seek to

control these areas of concern within any conditions. Any concerns can be raised with the Pollution Control section of the Council;

- (g) the height of the buildings is a reflection of the floor space required by the University to expand the facility. Planners recognise that phase IV of the proposed development is higher than some of the other buildings within the site and that this will be nearer to adjacent residential properties, meaning that residents will be able to see it, but it will not overshadow their properties. The windows facing the properties don't overlook them (merely serving a secondary stairwell) and there is no justifiable reason in terms of material planning considerations to request that the building is lowered by a floor;
- (h) as outlined within the update sheet, the building contractors will be reminded of the nationally prescribed working hours for construction and demolition, and whilst this cannot be included as a condition of the development, the Pollution Control Team can take action if the contractors are in breach of these requirements;
- (i) the use of frosted glass for the windows facing the houses (or other design change seeking to address the same issue) can be made a condition of the permission, as can requesting a named contact person for residents if any issues arise during construction (as part of the a construction management plan).

## **RESOLVED**

### **(1) to grant permission subject to:**

- (a) **the indicative conditions listed in the draft decision notice at the end of the report with the exception of condition 9 which is amended as follows:**

**Prior to the development being first brought into use details of a landscaping scheme including details of:**

- (a) **external lighting (including any roof top lighting, details of luminance levels and a plan setting out how the operation of lighting will be managed);**
- (b) **hard surfacing;**
- (c) **boundary treatments; and**
- (d) **the type, height, height, species and location of proposed trees and shrubs shall be submitted to and approved in writing by the Local Planning Authority.**

**The landscaping scheme shall be provided in accordance with the approved details within the first planting season following the completion of the development;**

- (b) **the addition of conditions addressing the following:**
  - (i) **the provision of a construction management plan, including a requirement for a named University of Nottingham contact;**

- (ii) **details of the glazing in the southeast elevation of the phase IV building to be submitted to and agreed in writing by the Local Planning Authority to ensure that the amenities of adjacent residents are protected;**
- (c) **the addition of the following informative:**

**For Construction & demolition Noise comments**

**Construction & Demolition - Noise Control: Hours of Work**

**The acceptable hours for demolition or construction work are detailed below; -**

<b>Monday to Friday:</b>	<b>0730-1800 (noisy operations restricted to 0800-1800)</b>
<b>Saturday:</b>	<b>0830-1700 (noisy operations restricted to 0900-1300)</b>
<b>Sunday:</b>	<b>at no time</b>
<b>Bank Holidays:</b>	<b>at no time</b>

**Work outside these hours may be acceptable in exceptional circumstances but must be agreed in advance in writing with Nottingham City Council's Pollution Control Team (Tel: 0115 9152020; email: [pollution.control@nottinghamcity.gov.uk](mailto:pollution.control@nottinghamcity.gov.uk));**

- (2) **to delegate power to determine the final details of the conditions to the Head of Planning.**

**b FERNWOOD PRIMARY SCHOOL, ARLESTON DRIVE (Agenda Item 4c)**

Prior to the Committee's consideration of the application, Wollaton West Ward Councillors Jim Armstrong, Steve Battlemuch and Georgina Culley, at the agreement of the Chair, delivered verbal representations.

Councillor Jim Armstrong spoke first and the main points of his representation are summarised as follows:

- (a) Fernwood Primary School is a popular school rated by Ofsted as outstanding, mainly due to the ethos of the parents;
- (b) the ward of Wollaton West is not served well by public transport and residents have a high car ownership rate. Most parents work and approximately 50% of parents need to get their children to school so will drive to drop their children off at, and collect them from school;
- (c) since 2009, when the school last expanded, there has not been any action to alleviate traffic connected with the school. If the application is approved, the school will have capacity for 1,100 children. Currently there are 315 car movements per day around the school, which are expected to soon rise to approximately 450 per day and reach approximately 500 per day if the scheme is completed;
- (d) prior to this second phase development, it is requested that a condition is included to restrain car use or enable parking on site for parents at the busiest times;
- (e) a permanent and sustainable traffic solution is required to address the traffic issues around the school.

Councillor Steve Battlemuch then delivered his representation, the main points of which are summarised as follows:

- (f) the issue is that local children cannot be allocated places at their local school if they move into the area after the first admission round at around 5 years old, as the school is full, with some local children living within the catchment area being refused a place at this stage;
- (g) when parents are not able to admit their children to their local school, they are crestfallen. With the agreement of local schools, a few additional places have been temporarily secured but the whole process has been very stressful and upsetting for the families concerned;
- (h) if this capacity issue is not addressed, then other families will experience the same distress and their children will be expected to travel to other schools in other areas. Existing schools need to be able to accommodate local children;
- (i) with regard to parking and traffic issues, the school, residents and parents are working together but this is a city wide problem (not limited to Nottingham) which requires a broader, city wide approach to address;
- (j) the application should be accepted.

Councillor Georgina Culley then delivered her representation, the main points of which are summarised as follows:

- (k) it should be recognised that every school site has its capacity and to proceed with the development will lead to over intensification;
- (l) parking and traffic have been long standing issues around the school and an extension will exacerbate the problems and increase the impact on local residents;
- (m) an alternative site in Wollaton would be more desirable and to date not all potential sites have been considered even though an alternative site would be more beneficial to the children at the school as this option would not have as much impact on them than extending the current site and admitting a further 200 pupils to a site with reduced space for recreational facilities;
- (n) the education level of children at the school would also be reduced;
- (o) it is claimed that the school needs space for catchment children but more than 100 current pupils do not live within the catchment area, maybe with good reason, but these pupils could be accommodated in their catchment school within the area in which they now live;
- (p) the Governing Body of Fernwood School have concerns regarding parking and traffic which are not addressed within this application. To suggest that parents shouldn't take their children to school by car is wrong as parents need flexibility and need to park close to the school. The proposed car park site is on a busy road and raises concerns for the safety of young people;
- (q) the substantial increase of more than 200 pupils needs to be reconsidered as capacity is an ongoing issue and adding 6 or more classrooms is not necessarily sufficient in the long term.

At this point, prior to the Committee's consideration of the application, Councillor Jim Armstrong withdrew from the meeting for the duration of the item.

Rob Percival, Area Planning Manager, introduced the report and application ref. 16/00255/NFUL3, submitted by Nottingham City Council for planning permission for

Single storey extensions to provide six new classrooms and delivered a brief presentation which included a summary of the application, a plan of the existing and proposed site and computer generated images of the proposed development, stating that due to the position of the proposed extensions, they would not have any direct impact on local residents and that the nature of the concerns raised focused on traffic issues.

Members of the Committee commented as follows:

- (r) traffic issues are common to schools across the city and there are mechanisms to tackle many of the concerns raised;
- (s) following careful consideration, realistically there are no suitable alternative sites for the school to expand and with the two local schools experiencing increasing capacity pressure, expansion is needed;
- (t) when parents have children at different schools, it causes a lot of extra work, inconvenience and pressure for the whole family. This is particularly true for some of the more vulnerable and transient members of the community. The expansion is needed;
- (u) school parking issues have, in the main, been addressed by some schools by arranging for parents to park and drop off their children at a specific car park close to the school, from where the children are walked to the school. This has worked well but it is always preferable to have a sustainable travel plan that doesn't involve taking children to school in the car;
- (v) parking problems are also caused by school staff who do not want to be charged for parking on the school site. The majority of streets within the City were not built to cope with as many cars as we have today, but residents around schools need to be sensitively considered;
- (w) with regard to children's safety, during peak times drivers around schools are generally very cautious when it's so obvious that there are children and young people around;
- (x) innovative solutions such as Pedals' 'safe route cycle scheme' should be promoted to enable young people to cycle to school safely and reassure parents;
- (y) it's not apparent from the report that any local residents have formally lodged objections to the extension which will have little, if any, impact on the huge playing field;
- (z) a school travel plan is needed but it will need investment;
- (aa) if siblings are made to attend different schools, including out of catchment, parents are more likely to drive all of their children to school, including those at the local school. If families live locally to a school, they are more likely to walk or cycle to school.

Lisa Guest, Principal Officer for Highways Traffic and Safety, informed the Committee that there are several incentives which may be appropriate for school related traffic, and which schools could be supported to provide, including:

- (i) steering groups which engage residents, and discourage poor parking and driving practices;
- (ii) breakfast clubs to help stagger the times at which children are dropped off to and collected from school;
- (iii) walking buses, especially if the vehicle drop off and collection point is away from the school but within a reasonable walking distance for the age group concerned;
- (iv) public transport operator involvement;

- (v) children cycling or walking to school on their own or with friends, using 'safe routes' which can be plotted for them.

## **RESOLVED**

- (1) to grant planning permission subject to the indicative conditions listed in the draft decision notice at the end of the report;**
- (2) for the power to determine the final details of the conditions to be delegated to Head of Planning.**

### **c RIVERSIDE BUILDING , RIVERSIDE WAY (Agenda Item 4d)**

Prior to the Committee's consideration of application 15/02854/PFUL3, which was deferred from the last meeting, at the agreement of the Chair, Bridge Ward Councillor Michael Edwards delivered a further five minute verbal representation, acting as a ward councillor, which is summarised as follows:

- (a) during its last meeting, Area 8 Committee: Bridge, Clifton North and Clifton South, reviewed the Local Plan. Whilst the former warehouse site is identified within the plan, it has not been identified as suitable for educational use and it is not a suitable site for educational use;
- (b) Bridgeway Consulting Group, a very successful company with 250 employees which trains its own and other staff to work at height and under water within the railway industry, are sited to the east of this site. Having acquired the a site neighbouring a warehouse, the company is very concerned at the implications of having pupils with behavioural issues in the adjoining property and has listed particular concerns following several incidents which are included with the update sheet;
- (c) the site is not appropriate for a school and with the neighbouring business experiencing ongoing problems with just 24 pupils attending, Bridgeway Consulting are objecting to the expansion to 56 pupils due to the current impact on their business.

Councillor Edwards withdrew from the meeting following his representation and returned during consideration of Agenda item 4a as an observer.

Rob Percival, Area Planning Manager, introduced the report on application number 15/02854/PFUL3 by Jones Lang LaSalle on behalf of Channelling Positivity for planning permission to change of use from Office/Warehouse to Class D1 School and minor external alterations including access ramp. He delivered a brief presentation which included a summary of the application, a plan of the existing and proposed site and computer generated images of the proposed development.

The application had been deferred at the last meeting to enable a member site visit of the school to take place and for further information to be gathered. The following points were highlighted from the report and in response to questions asked by members at that meeting:

- (a) the proposed internal layout of the school could be completed by the new term in September;



- (b) the lack of daylight in the middle of the building had been raised as a concern but these classrooms will provide IT training and have been designed with windows and roof lights that will benefit from natural light through the roof lights in the main building;
- (c) councillors were concerned at the small area available for external play;
- (d) the school access local recreational spaces, including the Riverside Sports Facility at the University, and Victoria Embankment;
- (e) the planning and design for converting the building has followed the comprehensive protocol set out by the Education Funding Agency and DfE;
- (f) the internal space available is larger than a school this size requires which has enabled a sports hall to be included;
- (g) the school plays a vital part in reducing unacceptably high permanent exclusions within the City;
- (h) the school is keen to build good relationships with neighbouring and surrounding businesses;
- (i) the majority of pupils use sustainable transport to travel to and from the school.

The Committee's attention was directed to the additional information provided in the update sheet.

Members commented as follows:

- (j) having visited the school, impressed with the dedication of the staff and found the building to be light with well behaved, engaged children;
- (k) the building has a lot of potential to become a good facility but there is a lack of outside space and even if the school spend £20,000 on hard/soft landscaping, it won't be enough and the area will still look like a prison yard with a high fence and barbed wire;
- (l) the concerns of the late objectors need to be addressed;
- (m) air quality may be a concern as the building is close to a major and busy road;
- (n) the building appeared grim from the outside, but is much brighter than expected inside although further improvements could be made;
- (o) the photos of the outside space make it appear longer than it is and there needs to be much more greenery and generally far more consideration to the space;
- (p) the City cannot afford the school to impact on the provision of good quality jobs such as those provided by the neighbouring business, so it is vital that the school is managed in a way that however many pupils attend the school, there isn't a negative impact on surrounding businesses;
- (q) the outdoor space/yard is not suitable for 24 pupils and will not be suitable for 56 pupils;
- (r) mechanisms need to be in place to ensure that the neighbouring businesses do not experience problems. There needs to be a plan which is properly monitored with sanctions if problems do occur;
- (s) overall the school has the makings of a success but the outside space is not large enough and the school does not have the budget to make it suitable;
- (t) a condition should be requested to ensure that the service the young people receive is appropriate and meets their needs;
- (u) the site is ideally situated for transport links;
- (v) the school should supply named contacts to the neighbouring businesses to ensure that problems are swiftly addressed;

- (w) the neighbouring company need to be reassured that there is action to ensure pupil management.

## **RESOLVED**

- (1) to grant planning permission subject to the indicative conditions listed in the draft decision notice at the end of the report, with the inclusion of the following additional conditions (the first included in the update sheet):**

- (a) within 2 months of the permission hereby granted, details of a pupil management plan, shall be submitted in writing to, and approved by, the Local Planning Authority. Thereafter the plan shall be implemented at all times.**

**This plan should include:**

- (i) a named contact at the school;**
  - (ii) regular liaison group meetings with neighbours and community representatives;**
  - (iii) a mechanism for the school to report all incidents to the Local Planning Authority, along with actions to prevent and/or resolve issues;**
  - (iv) the School shall develop relationships with transport operators regarding the behaviour of pupils on public transport;**
  - (v) mechanisms to monitor and review the plan with a report to be submitted to the Local Planning Authority at 6 monthly intervals;**
- (b) details of the enhancement of the external area and means of enclosure to be submitted to, and agreed in writing by the Local Planning Authority.**

- (2) for power to determine the final details of the conditions to be delegated to Head of Planning.**

**d SITE OF 522, DERBY ROAD (Agenda Item 4a)**

Rob Percival, Area Planning Manager, introduced the report for the revised application 16/00149/PFUL3 submitted by Bond Bryan Architects Ltd on behalf of The University of Nottingham for planning permission for an Advanced Manufacturing Building comprising offices, teaching space, laboratories and workshops and associated external works, including a new scout hut.

A brief presentation was delivered which included a summary of the application, a plan of the proposed site and computer generated images of the proposed development which had been through an intensive process of design changes.

Committee members were directed to the update sheet which includes additional consultation responses.

Councillors commented as follows:

- (a) residents have very mixed views on the design but welcome the reduction in height;
- (b) the design is not offensive and some councillors like it;
- (c) further consideration should be given to the area in front of the building and towards Lenton Lodge as this will be the Derby Road 'front door' to the Jubilee Campus and the current proposal is disappointing. In consultation and possibly partnership with the Environment Agency, the culvert, and the area around it, could be made into a more attractive feature as the proposal is currently very bland in this area;
- (d) the contrast between the old gate house and the proposed modern building is welcomed but more greenery is needed to slightly soften the outward bound view of the building. Additional or alternative planting need not obscure the 'floating' appearance of the design;
- (e) this design isn't good and it spoils the whole area;
- (f) this design is a disappointment and there is something uneasy about the eastern elevation;
- (g) the proposed design of the new scout hut needs considerably more thought; others welcomed it;

Councillors queried the impact on Derby Road of traffic turning into and out of the entrance but Rob Percival responded that traffic movement had been considered in detail with the feasibility of several options investigated, but that the current overall traffic management proposals, including travel plan programmes, are considered satisfactory. Changing the timings of the traffic lights could be considered in future if necessary.

## **RESOLVED**

### **(1) to grant planning permission subject to:**

- (a) the inclusion of the indicative conditions listed in the draft decision notice, save the amendment of condition 5 to:**

**the tree protection measures detailed in the approved Arboricultural Method Statement shall be put in place prior to the commencement of the development hereby permitted, and retained for the duration of construction operations. The development shall be carried out in accordance with any on-going requirements set out in the approved Arboricultural Method Statement;**

- (b) the following additional conditions with regard to badgers:**

**the development shall not be commenced until details of additional measures to ensure that badgers which may be using the site are properly protected, have been submitted to and approved in writing by the Local Planning Authority;**

**the development shall be carried out in accordance with the approved scheme;**

**Reason: to ensure that the development would preserve or enhance the health of protected species in the vicinity to comply with Policy NE3 of the Nottingham Local Plan and Policy 17 of the Aligned Core Strategy**

- (2) for the power to determine the final details of the conditions to be delegated to the Head of Planning.**

It is noted that one member voted against the application, whilst two councillors abstained.

**58 DATE OF NEXT MEETING**

**RESOLVED to note the date of the next meeting as 18 May 2016 at 2.30pm in Loxley House.**