

NOTTINGHAM CITY COUNCIL

PLANNING COMMITTEE

MINUTES of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 19 July 2017 from 2.32 pm - 3.58 pm

Membership

Present

Councillor Chris Gibson (Chair)
Councillor Liaqat Ali
Councillor Cat Arnold
Councillor Graham Chapman
Councillor Azad Choudhry
Councillor Josh Cook
Councillor Georgina Culley
Councillor Michael Edwards
Councillor Rosemary Healy
Councillor Gul Nawaz Khan
Councillor Sally Longford
Councillor Brian Parbutt
Councillor Mohammed Saghir
Councillor Malcolm Wood

Absent

Councillor Alan Clark
Councillor Andrew Rule
Councillor Wendy Smith
Councillor Linda Woodings
Councillor Steve Young

Colleagues, partners and others in attendance:

Ann Barrett - Team Leader, Legal Services
Rob Percival - Area Planning Manager
Martin Poole - Area Planning Manager
Paul Seddon - Chief Planner
Nigel Turpin - Design and Conservation Manager
James Welbourn - Governance Officer

16 APOLOGIES FOR ABSENCE

Councillor Alan Clark - personal reasons
Councillor Andrew Rule - work commitments (substituted by
Councillor Georgina Culley)
Councillor Wendy Smith - annual leave (substituted by Councillor
Liaqat Ali)
Councillor Linda Woodings - work commitments
Councillor Steve Young - unwell (substituted by Councillor Michael
Edwards)

17 DECLARATIONS OF INTERESTS

None.

18 MINUTES

The minutes of the meeting held on 21 June were agreed as a true record and signed by the Chair.

19 9 - 10 SHORT HILL AND 54 - 56 HIGH PAVEMENT

Rob Percival, Area Planning Manager introduced applications 16/02249/PFUL3 and 16/02250/LLIS1 for Planning Permission and Listed Building Consent respectively made by Rg+p on behalf of Abode Nottingham Ltd for 117 apartments with basement car park, comprising change of use of rear of 9 Short Hill (plus additional floor to roof), change of use of 54-56 High Pavement, a new 5-storey building to Short Hill, a new 3/5/7-storey building to Malin Hill, demolition of 10 Short Hill (facade retained) and demolition of extensions at rear of 56 High Pavement.

Rob Percival delivered a brief presentation which included photographs and plans of the current site, plans and computer generated images (CGIs) of the proposed development, the details of which are within the report.

The following points were highlighted:

- (a) the link to Trivett Square is made of largely glazed and joins the two schemes together;
- (b) the intention is to use different brickwork between different elements of the scheme, reinforcing the grain and sense of a collection of buildings which references the site context and what was on the site historically;
- (c) there is an opportunity to refine the design of the entrance to the courtyard from Short Hill;
- (d) the consultation period for comments from the Georgian Society extend until 11 August;

Reference was also made to the update sheet which addressed additional comments from a neighbouring property and provided an amended form of recommendation

Further comment from Committee was provided, and is documented below:

- (e) this decision affects a key and important view in the City. It restores a bombsite gap that has been there since 1941 – that is to be welcomed, as is the regeneration of that section of the Lace Market and the retention of most of the Malin Hill wall;
- (f) emphasis could be made of the narrow central tower by using darker brick on the buildings either side;

- (g) the flat roof on the tallest element next to the Trivett Square tower is too high; a pitched solution could make it more acceptable;
- (h) the proposed buildings on Short Hill could benefit from referencing the detail on the adjacent buildings, including having lintels added to the windows; this would aid character;
- (i) consideration should be given to the view of the turret at 9 Short Hill from the courtyard within the development;
- (j) only 27 car parking spaces are listed in the report, and this doesn't seem to be enough for 117 apartments;
- (k) it is pleasing that this scheme has come back as a residential scheme rather than an office scheme;
- (l) the southern elevation and taller elements of the scheme are too 'blocky';
- (m) the design for the main entrance is not very inspiring;

Rob Percival responded to some of the Committee's comments as follows:

- (n) the scheme went to the Design Review Panel at an early stage. There has been a lot of subsequent re-design;
- (o) the overall height of the tallest element has taken the eaves of the Trivett Square tower as its reference point;
- (p) there is further scope to look at issues such as the detailing on the windows, and the design of the main and courtyard entrances;
- (q) if you were within the courtyard, you would not be able to see the turret at 9 Short Hill; you would only be able to see it when looking at the scheme from a distance, where views of it have been respected;
- (r) the amount of parking spaces is driven by the constraints of the site. The previous office scheme had a much larger car park but at the expense of losing the cave below the site. This scheme has the advantage of retaining the historic cave and given the sustainable location of the site, the proposed level of car parking is felt to be acceptable.

RESOLVED to delegate power to the Chief Planner to grant both Planning Permission and Listed Building Consent in consultation with the Chair, Vice Chair, opposition spokesperson and Councillors Wood and Edwards subject to:-

- i) no material matters being raised in relation to either application pending the expiry of the consultation period with the Georgian Society on 11 August 2017;**
- ii) The conclusions of the District Valuer's independent assessment of the developer's viability appraisal as to whether the whole or part of the policy compliant section 106 contributions (outlined in general in the**

Planning application report) should be required to be included in a planning obligation and if so for that obligation to be completed prior to the grant of planning permission. The final content of the planning obligation to be determined by the Chief Planner following consultation with the Chair, Vice Chair and opposition spokesperson and subject to him being satisfied that the obligation sought complies with the provisions of Regulation 122(2) and 123(3) of the Community Infrastructure Levy Regulations 2010;

- iii) conditions substantially in the form of those outlined in the update sheet with such amendments or addition(s) as as the Chief Planner feels appropriate, and;**
- iv) In the event of there being no general consensus reached between the Chief Planner, the Chair, Vice Chair, opposition spokesperson and Councillors Wood and Edwards in relation to the applications, that they be returned to Planning Committee for determination.**

20 BESTWOOD CENTRE, BESTWOOD ROAD

Both Councillors Wood and Saghir left the room for short periods of time during consideration of this item and did not take part in either the debate or vote.

Martin Poole, Area Planning Manager, introduced application 17/00241/PFUL3 by RDA Consultant Architects LLP on behalf of Peter James Homes Ltd for 48 dwellings and associated infrastructure.

Martin Poole delivered a brief presentation which included photographs and plans of the current site, plans and computer generated images (CGIs) and addressed the issues outlined in the update sheet.

When the application was originally submitted, the proposed site layout turned its back on Bestwood Road and was very inward facing. The revised plans provide frontage to Bestwood Road. Bestwood Road is subject to a 40mph speed limit, and the developer is proposing to reduce this to 30mph, with additional traffic calming, secured through the normal process of highway agreements.

For boundary treatments, the developer is proposing a mix of Bulwell stone walls, estate-type railings, a mixture of walls and panel fencing, and hedges.

Some of the concerns and further observations of the Committee were:

- It is difficult to appreciate some of the detail of the scheme from the CGIs alone;
- The sides of some of the houses have incredibly small windows;
- One of the focuses needs to be on making these houses more environmentally friendly, which also has the benefit of keeping heating costs down;
- The development could have a positive impact on speed on Bestwood Road, with the houses being road-facing. This may slow people down.

Martin Poole responded to some of these concerns as follows:

- (a) the houses are of red brick with tiled roofs. However, these are matters that would be subject to a planning condition requiring the details to be submitted approved. Councillors concerns to see a variety of materials would be taken into account when considering the details;
- (b) approval of the details of windows are to be subject to a planning condition;
- (c) a proportion of the units will be provided with electric charging points. This will be the subject of further discussion between the developer and officers, and secured by condition;
- (d) the speed of cars has been looked at very carefully by Highways colleagues, and they have concluded that the scheme is acceptable in road safety terms.

RESOLVED, subject to no additional material matters arising in response to consultation, by 9 August 2017, to GRANT PLANNING PERMISSION subject to:

- a) Prior completion of an agreement under section 111 of the Local Government Act 1972 requiring the applicant to enter into a section 106 planning obligation on transfer of the site to it which shall include:
 - (i) A financial contribution towards off site public open space improvements at Bulwell Hall Park;**
 - (ii) A financial contribution towards the provision of school places;**
 - (iii) A financial contribution in lieu of on-site provision of affordable housing;****
- b) The indicative conditions substantially in the form of those listed in the draft decision notice at the end of this report.**

Power to determine the final details of the conditions, agreement and planning obligation to be delegated to the Chief Planner.

- (c) Councillors are satisfied that Regulation 122(2) of the Community Infrastructure Levy Regulations 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.****

(d) Councillors are satisfied that the section 106 obligation(s) sought that relate to infrastructure would not exceed the permissible number of obligations according to the Regulation 123 (3) of the Community Infrastructure Levy Regulations 2010.

21 ST THOMAS MORES RC CHURCH

Rob Percival, Area Planning Manager introduced planning application 16/02298/PFUL3 for planning permission for extensions to the existing church and a proposed separate church hall and carpark.

Rob Percival delivered a brief presentation which included photographs and plans of the current site, plans and computer generated images (CGIs) of the proposed development and addressed the issues outlined in the update sheet.

The proposed extensions to the church are fairly modest, the original plans have been amended to bring the new church hall into line with the church and to direct the access to the car park to the rear of the church hall, to be replaced with landscaping and a pedestrian access to the front.

The application was brought to Committee due to the level of interest contrary to Officer recommendations which had been received. The focus of this interest is on traffic and parking issues, along with ecological concerns, and the possibility that increased use of the church could lead to issues of noise.

Rob Percival responded to these concerns:

- There is a restriction on the hours of use of the church hall and to prevent its use when there is a church service, to avoid a double demand for the use of the parking spaces;
- Whilst a previous application in relation to the nearby housing development had raised concerns regarding the impact on nearby badgers and their sets, there was no significant harm arising from this application and a condition would be imposed to address mitigation measures;
- A bat survey has been carried out on the church itself – the conclusion is that there are no bat roosts in the church itself and no mitigation measures are required;

The Committee provided further comment:

- (a) the area in question is already affected by parking for schools, and will have an impact on residential properties;
- (b) could there be a restriction on developing before the hours of 7:30am?
- (c) it is quite clear that there is a run of badgers around the site;
- (d) more parking spaces could have been added if the trees and green spaces within the car park were removed.

Rob Percival responded to the comments:

- (e) the site is near to a school so suffers from vehicular problems that are common to all schools. Parking has been looked at from the site's point of view rather than providing further spaces for the wider area. The church has maintained the same levels of parking;
- (f) Highways are looking at traffic generated by the church itself, and are of the view that the level of parking proposed is appropriate to the church;
- (g) construction hours is not something controlled by Planning, but there is established good practice on this issue which can be controlled via Environmental Health colleagues;

- (h) it has been accepted that there is no harmful impact on badgers as a result of this development;
- (i) the archaeology of the site has been acknowledged and addressed through the conditions of the proposed development;
- (j) landscaping and trees are felt to be an important part of the proposed scheme, with a concern about its impact on the 'street scene' if it was just to be a car park hard up to the front boundary. It needs to remain attractive for neighbouring residents.

RESOLVED to GRANT PLANNING PERMISSION subject to the conditions listed in the draft decision notice at the end of the report.

The power to determine the final details of the conditions is to be delegated to the Chief Planner.

It is noted that Councillor Georgina Culley did not support the application.