

NOTTINGHAM CITY COUNCIL

PLANNING COMMITTEE

MINUTES of the meeting held at Loxley House, Station Street, Nottingham, NG2 3NG, on 17 December 2014 from 2.30pm – 4.30pm

Membership

Present

Councillor Chris Gibson (Chair)

Councillor Liaqat Ali

Councillor Cat Arnold

Councillor Graham Chapman

(present for minutes 47 to 53 inclusive)

Councillor Azad Choudhry

Councillor Alan Clark

Councillor Michael Edwards

Councillor Rosemary Healy

(absent for minute 53)

Councillor Gul Nawaz Khan

(present for minutes 47 to 53 inclusive)

Councillor Ginny Klein

(absent for minutes 47 to 51 inclusive)

Councillor Sally Longford

(absent for minute 53)

Councillor Wendy Smith

Councillor Malcolm Wood

Absent

Councillor Eileen Morley

Councillor Roger Steel

47 APOLOGIES FOR ABSENCE

Councillor Morley - personal

Councillor Steel - other Council business

48 DECLARATIONS OF INTEREST

Councillor Healy declared that she had previously spoken out in opposition to the application for 558 Woodborough Road (agenda item 4e, minute 53) so could not take part in the discussion or vote and left the room prior to consideration of the item.

During consideration of agenda item 4c (minute 51), Land bounded by Lower Parliament Street, Pennyfoot Street and Plough Lane, Councillors Chapman, Clark and Edwards declared an interest as members of the EnviroEnergy Board, the proposed energy suppliers for the development, but did not feel this would prohibit them from taking part in the discussion and vote on this item.

49 MINUTES

The Committee confirmed the minutes of the meeting held on 19 November 2014 as a correct record and they were signed by the Chair.

50 THE BOOTS COMPANY CAMPUS, THANE ROAD

Rob Percival, Area Planning Manager, introduced 2 reports of the Head of Development Management and Regeneration in respect of The Boots Company campus, Thane Road, as follows:

- (a) application 14/02038/POUT, submitted by AECOM on behalf of Nottingham Enterprise Zone Development Company, for a mixed-use development of up to 82,000sqm of employment floorspace, comprising office units (B1a), research and development (B1b), industrial process (B1c), general industrial (B2), storage and distribution (B8), residential (C2) and non-residential institutions (D1), up to 2,500sqm of retail and food/drink (A1, A2, A3, A4 and A5), up to 675 residential units (C3) and associated works including demolition of existing structures, earthworks, remediation, access, car parking, pedestrian and cycle routes, open space, utilities and sustainable drainage systems;
- (b) application 14/02039/PFUL3, submitted by AECOM on behalf of Nottingham Enterprise Zone Development Company for site and public infrastructure works, including highways (primary vehicle link route and Alliance Boots vehicle access), a new canal bridge, associated demolition works, earthworks, remediation, utilities and drainage infrastructure.

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

During discussion, the Committee stated that:

- overall this was a hugely welcomed development;
- it sought assurance about pedestrian links and was pleased with the proposal to construct a bridge over the railway line;
- it had concerns regarding the proposed removal of a condition (on viability grounds) relating to a limited element of phasing, and that the link road will cause major traffic problems on the wider network. As such, the Committee requested that it was minuted that should problems occur, it should be The Boots Company responsibility to resolve them, not the public purse.

RESOLVED, by 11 votes for and 1 abstention:

(1) in respect of application 14/02038/POUT:

(a) that the Committee was satisfied that:

- (i) the requirements of Part 2 of Schedule 4 to the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 ('the Environmental Impact Regulations') were satisfied by reason of the submission of the Environmental Statement part of the application, which included the following information:**

- a description of the development, comprising information on the site, design and size of the development;
 - a description of the measures envisaged in order to avoid, reduce and, if possible, remedy significant adverse effects;
 - the data required to identify and assess the main effects which the proposed changes to the approved scheme are likely to have on the environment;
 - an outline of the main alternatives studied by the applicant and an indication of the main reasons for these, taking into account the environmental effects;
 - a non-technical summary of the information provided under the 4 bullet points above;
- (ii) the implications of the development, addressed in the Environmental Statement, and the mitigation measures proposed, do not amount to adverse effects or main effects;
- (iii) in making the decision, the environmental information, being the Environmental Statement, had been taken into account and this material met the minimum requirements of Part 2 of Schedule 4 to the Environmental Impact Assessment Regulations 2011 and was sufficient having regard to Part 1 of Schedule 4 to those Regulations;
- (iv) Regulation 24(1) of the Environment Impact Assessment Regulations 2011 should be complied with as soon as reasonably practical and that authority is delegated to the Head of Development Management and Regeneration to notify the decision to the Secretary of State, to place a newspaper notification of the decision and place on deposit for public inspection a statement containing the content of the decision, the main reasons and consideration on which the decision is based and a description, where necessary, of the main measures to avoid any significant adverse effects;
- (b) subject to prior completion of a Section 106 Planning Obligation, including financial contributions towards education provision and improvements to public transport and sustainable transport measures, planning permission be granted. The planning permission being subject to the indicative conditions substantially in the form of those listed in the draft decision notice, with the exception of condition 27 which shall be deleted;
- (c) to delegate authority to the Head of Development Management and Regeneration to determine the final details of both the terms of the Section 106 Planning Obligation (including the method of assessment of the financial contributions) and the conditions of the planning permission;

- (d) that Councillors are satisfied that Regulation 122(2) Community Infrastructure Levy Regulations 2010 is complied with in that the planning obligation sought is necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development;**
- (2) in respect of application 14/02039/PFUL3:**
- (a) that the Committee was satisfied that:**
- (i) the requirements of Part 2 of Schedule 4 to the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 ('the Environmental Impact Regulations') were satisfied by reason of the submission of the Environmental Statement part of the application, which included the following information:**
- a description of the development, comprising information on the site, design and size of the development;**
 - a description of the measures envisaged in order to avoid, reduce and, if possible, remedy significant adverse effects;**
 - the data required to identify and assess the main effects which the proposed changes to the approved scheme are likely to have on the environment;**
 - an outline of the main alternatives studied by the applicant and an indication of the main reasons for these, taking into account the environmental effects;**
 - a non-technical summary of the information provided under the 4 bullet points above;**
- (ii) the implications of the development, addressed in the Environmental Statement, and the mitigation measures proposed, do not amount to adverse effects or main effects;**
- (iii) in making the decision, the environmental information, being the Environmental Statement, had been taken into account and this material met the minimum requirements of Part 2 of Schedule 4 to the Environmental Impact Assessment Regulations 2011 and was sufficient having regard to Part 1 of Schedule 4 to those Regulations;**
- (iv) Regulation 24(1) of the Environment Impact Assessment Regulations 2011 should be complied with as soon as reasonably practical and that authority is delegated to the Head of Development Management and Regeneration to notify the decision to the Secretary of State, to place a newspaper notification of the decision and place on deposit for public**

inspection a statement containing the content of the decision, the main reasons and consideration on which the decision is based and a description, where necessary, of the main measures to avoid any significant adverse effects;

- (b) to grant planning permission, subject to the indicative conditions substantially in the form of those listed in the draft decision notice;**
- (c) to delegate authority to the Head of Development Management and Regeneration to determine the final details of the conditions of the planning permission.**

51 LAND BOUNDED BY LOWER PARLIAMENT STREET, PENNYFOOT STREET AND PLOUGH LANE

During consideration of this item, Councillors Chapman, Clark and Edwards declared an interest as members of the EnviroEnergy Board, the proposed energy suppliers for the development, but did not feel this prohibited them from taking part in the discussion and vote.

Martin Poole, Area Planning Manager, introduced a report of the Head of Development Management and Regeneration, on application 14/02274/NFUL3, submitted by CPMG Architects on behalf of Nottingham City Council, for the erection of a 5 storey laboratory and office building for Biosciences, chemistry and life science research.

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.

During discussion, the Committee made the following comments:

- the proposal was welcomed, although there was some concern that the design of the building's statement feature, the solar screen, wasn't particularly well connected to the field of bio-science and was also missing an opportunity to capture solar energy;
- it had some concerns that the opportunity to improve safety for cyclists on Lower Parliament Street might be being missed and it wanted assurances that the scheme would not prejudice any future works that might involve the pavement in front of the building (in light of the Council's proposals for an improved east-west cycle route, involving routing cyclists along Plough Lane to the rear).

RESOLVED

- (1) to grant planning permission, subject to the indicative conditions substantially in the form of those listed in the draft decision notice;**
- (2) approval of the final details of the solar screen required by condition 9 shall be delegated to the Head of Development Management and**

Regeneration following consultation with the Chair, Vice-Chair and Opposition Spokesperson and Councillor Edwards;

- (3) to delegate authority to the Head of Development Management and Regeneration to determine the final details of the conditions of the planning permission.**

52 SPORTS COMPLEX, UNIVERSITY OF NOTTINGHAM

Rob Percival, Area Planning Manager, introduced a report of the Head of Development Management and Regeneration, on application 14/02540/PFUL3, submitted by David Morley Architects on behalf of the University Of Nottingham, for the erection, following part-demolition of the existing building, of a new sports centre, with associated vehicular access, car park and other 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.

During discussion, the Committee raised serious concerns about the proposed removal of 3 oak trees, thought to be in the region of 250 to 400 years old and requested officers to undertake further discussion with the University to address the design and/or siting of the building so as to enable their retention if at all possible.

RESOLVED to defer this item to the January 2015 meeting to allow for further discussion between officers and the University of Nottingham in regard to 3 mature oak trees within the development site.

53 558 WOODBOROUGH ROAD

Having previously made a declaration of interest, Councillor Healy left the room prior to consideration of the item.

Martin Poole, Area Planning Manager, introduced a report of the Head of Development Management and Regeneration, on application 14/02106/PFUL3, submitted by Marsh Grochowski on behalf of Framework Housing Association, for the erection, following demolition of the existing buildings, of a 3-storey building incorporating 9 one-bed flats.

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.

By prior agreement from the Chair, Councillor Emma Dewinton, in her capacity as a ward Councillor, read the following statement, objecting to the application, to the Committee:

“This is a difficult one. I'm very supportive of helping people to move on – Framework is an excellent housing provider – and I've worked with them to resolve issues in our community.

However, this big development is inappropriate in an area where we are trying to promote family housing. 558 was divided into flats, but not multiple single person flats. Community demand is for 3 or 4 bedroom flats, which could be a starter home for a family.

Citywide, we also need single person housing, but in appropriate locations. This is a family housing area, walk to school route for primary and secondary schools, right opposite the main pedestrian, and children's, crossing on a busy main road.

It is no secret that Woodborough Road has lost a post office, bank and many shops. Private houses have gone into multiple occupation and caused some problems. People feel that they are in danger of losing the community they know and value.

In addition, there is a risk locally of saturation in social and supported housing, impacting negatively on effective management. I've always worked with housing management and the community to problem-solve issues between tenants and neighbours, but it's important we don't set up housing to fail due to over intensity.

There are large, single person supported housing units nearby in Blyth Street, Cauntun Avenue and, of course, the probation hostel and core and cluster mental health units.

Residents are very worried because 558 is also next to 3 units of independent living and directly opposite another 5 units, which would make 17 single bed units adjacent to each other, without live in support.

On Woodborough Road also, there have been disturbances in the past year. And it's a few doors down from our one remaining local pub, popular with locals.

We have a responsibility in planning terms to Sustainability of Communities, particularly to encourage family housing within the city and access to good schools. And, following consultation, 'Additional Licensing HIMO' regulations now apply in this area of Mapperley Ward, as it is seen to have enough houses in multiple occupation. This regulation does not apply to single person flats, but it shows the pressures on the area.

I met to discuss concerns with Council officers and Framework and appreciate Framework has amended their proposal from 10 to 9 flats, bringing the main entrance level with Woodborough Road. Unfortunately, however, Framework have been unable to consider another location, due to funding restrictions.

So, there are still planning objections to this application:

- 9 flats is over intensive, where the area is at saturation point with supported housing;
- the design is modern, striking and higher than nearby houses, making it inappropriately dominating in the street scene. This is obviously a concern for neighbours, who have suffered problems being overlooked from single person units;

- 3 parking spaces seems inadequate for 9 flats, given the expectation tenants will build independent lives and work and there are already parking problems in Quernaby Road behind 558, Woodborough Road itself and Mapperley Crescent opposite;
- Finally, and most importantly in this location, 3 or 4 bed flats would be preferable, which could be used as starter homes by families.

I and the community recognise Framework have a good track record and commitment to well-managed housing. Regardless of the outcome of this application, I am working with Neighbourhood Management to build communication structures between supported/social housing in this area to enable liaison and cut short problems.

However, if this development is approved, it will effectively mean 17 single units at a sensitive point on Woodborough Road. They will alter the composition of the neighbourhood, where the city also has objectives of sustainable family housing and neighbourhood schools.

I understand that the recommendation is for acceptance of this application. However, I would urge the committee at least to undertake a site visit, and actually consider fully the residential area, number of supported units in the area, parking problems and speed of the traffic and tightness of the walk to school routes.

Finally, we know partner organisations access regional and national funding independently of the Council. I have approached our senior officer responsible for Council Commissioning, who has responded positively to a request we explore a more proactive and joined up process to bring partners together, discuss initiatives before they a final stage, pick up on suitable empty sites and avoid potentially unbalancing communities.

I would ask the Planning Committee support for this process.”

During discussion, the Committee indicated that it felt the design of the development was out of scale with neighbouring buildings, and that the development should appear as a two storey structure when viewed from the road, possibly with rooms in the roof. The porthole windows and the small single storey element on the north side were also out of keeping with the character of the area. The Committee was also concerned about the quality of the computer generated images submitted by the applicant, which were of a white block model standard and did not give sufficient information of the details of the design.

RESOLVED to defer this item to the January 2015 meeting to allow officers to seek to negotiate a revised design with the applicant.

54 THE PORTAL, PORTAL BUSINESS PARK, QUEENS DRIVE

Rob Percival, Area Planning Manager, introduced a report of the Head of Development Management and Regeneration, on application 14/02061/PFUL3, submitted by Stephen George and Partners on behalf of The Portal Nottingham Limited, for the construction of a retail unit, car showroom with associated workshop and office block, including a link to the existing data centre.

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.

During discussion, the Committee stated that while it was disappointed the proposal for this site was not coming forward as an office-led scheme, in light of the proximity to the data portal and the tram, it felt a convincing argument had been put forward for the proposed development.

RESOLVED

- (1) to grant planning permission, subject to the indicative conditions substantially in the form of those listed in the draft decision notice but with condition 14 revised as outlined in the update sheet;**
- (2) to delegate authority to the Head of Development Management and Regeneration to determine the final details of the conditions of the planning permission.**

55 SITE OF SOCIETY LINEN AND ELECTRICITY SUBSTATION, DALESIDE ROAD

Further to minute 19 dated 20 August 2014, Martin Poole, Area Planning Manager, introduced a report of the Head of Development Management and Regeneration, on application 14/01140/POUT, submitted by Signet Planning Limited on behalf of Cedar House Investments, for the development of a 1,694sq/mt gross foodstore (Class A1), together with a total of 2,787sq/mt other retail units (Class A1), a 186sq/mt restaurant building (Class A3), a 311sq/mt employment/ancillary use building (Class B1/D1), and associated 235 car parking spaces, access, public realm and strategic landscaping.

Mr Poole stated that the application has been brought back to Committee as the applicant has submitted amended plans, which are requesting an increase to the overall foodstore floor-space from 1,531sq/mt to 1,694sq/mt.

RESOLVED

- (1) that the Committee accept the substituted plans and amended description of the development as set out in the report;**
- (2) that the resolution of the Committee on 20 August 2014 (minute 19) to grant planning permission for the original development is rescinded;**
- (3) to grant planning permission, subject to:**
 - (a) prior completion of a Section 106 Planning Obligation, which shall include a financial contribution of £60,000 towards environmental improvements to the Greenway public right of way to improve pedestrian and cycle connections to the site;**

- (b) indicative conditions substantially in the form of those listed in the draft decision notice;**
- (4) to delegate authority to the Head of Development Management and Regeneration to determine the final details of both the terms of the planning obligation and the conditions of the planning permission;**
- (5) that Councillors are satisfied that Regulation 122(2) Community Infrastructure Levy Regulations 2010 is complied with, in that the planning obligation sought is necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.**