

NOTTINGHAM CITY COUNCIL

PLANNING COMMITTEE

MINUTES of the meeting held at LB31-32 - Loxley House, Station Street, Nottingham, NG2 3NG on 21 January 2015 from 14.00 - 16.10

Membership

Present

Councillor Chris Gibson (Chair)
Councillor Liaqat Ali
Councillor Cat Arnold
Councillor Graham Chapman
(absent minute 60)
Councillor Alan Clark
Councillor Michael Edwards
Councillor Rosemary Healy
Councillor Gul Nawaz Khan
Councillor Ginny Klein
Councillor Sally Longford
Councillor Eileen Morley
Councillor Wendy Smith
Councillor Roger Steel
Councillor Malcolm Wood

Absent

Councillor Azad Choudhry

56 APOLOGIES FOR ABSENCE

Councillor Azad Choudhry - personal

57 DECLARATIONS OF INTERESTS

Councillor Graham Chapman declared a pecuniary interest in agenda item 5a (Sports Complex, University of Nottingham, minute 60) as his spouse was employed by the University of Nottingham. Councillor Chapman left the meeting prior to discussion of the item.

Councillors Chapman, Clark and Edwards declared an interest in agenda item 5b (Barrasford House, minute 61) as members of the EnviroEnergy Board, the energy suppliers for the building, but did not feel that this would prohibit them from taking part in the discussion and vote on the item.

58 MINUTES

The Committee confirmed the minutes of the meeting held on 17 December 2014 as a correct record and they were signed by the Chair.

59 REPRESENTATIONS BY WARD COUNCILLORS ON APPLICATIONS BEFORE PLANNING COMMITTEE

Paul Seddon, Head of Development Management and Regeneration, introduced a report, clarifying the manner and circumstances in which Ward Councillors can address the Committee when it considers applications relating to their ward.

In response to a Councillor's comment that the proposals could go further and permit applicants and objectors to address the Committee directly, Mr Seddon explained that further work on the operation of the Committee will take place after the election in May 2015 along with councillor training on planning issues.

RESOLVED that

- (1) **subject to prior arrangement with the Chair of the Committee, Ward Councillors may address the Committee on Planning Applications which are within their ward and being considered by the Committee. Ward Councillors will not however be permitted to take part in any debate on that application;**
- (2) **where the Councillor concerned is a member of the Planning Committee, they shall withdraw from the Committee room immediately after speaking and prior to any debate on the application. The Councillor will not take part in any consideration of that application at either that or any other meeting of the Planning Committee;**
- (3) **any such address shall last no more than 5 minutes per Ward Councillor;**
- (4) **subject to the approval of the Chair, more than one ward Councillor may address the Committee on the same application.**

60 SPORTS COMPLEX, UNIVERSITY OF NOTTINGHAM

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

Further to minute 52 dated 17 December 2014, 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.

At its December 2014 meeting, the Committee raised serious concerns about the proposed removal of 3 oak trees. Mr Percival indicated that a substantial amount of further information aimed at addressing these concerns had been provided and was outlined at paragraphs 7.6 – 7.39 of the report. There was now substantial agreement between the relevant arboricultural specialists on the value of the relevant trees and proposed mitigation measures. It was indicated that :

- (a) the trees had been considered from the inception of the Scheme however moving the existing building would require a fundamental change in design, would add considerable cost to the existing proposal and could impact on the setting of a listed building;
- (b) one of the trees was designated Category A (high quality with further life expectancy of at least 40 years) and the other two were Category B (moderate quality with further life expectancy of at least 20 years). The loss of the 3 trees had to be seen in the context of the University's responsible stewardship of 5,000 trees within University Park;
- (c) the University offered increased mitigation through planting 6 semi-mature trees (the original proposal was for 2 trees) and also planned to deliver an arboretum within its grounds.

During discussion, the Committee made the following comments:

- (d) while there was strong support for the sports complex, several councillors expressed disappointment that the University had not changed its position to address the Committee's concerns about the loss of the 3 oak trees;
- (e) the university had prioritised retaining the existing building and had misread the depth of feeling among Committee members and the wider public about the loss of the 3 oak trees, which formed part of Nottingham's cultural history;
- (g) several councillors expressed the opposing view that the benefits of the proposal to Nottingham and its citizens outweighed the loss of the 3 oak trees;
- (h) the Chair acknowledged that the loss of the 3 trees was a very emotive subject but reminded the Committee that the proposal was for a multi-million pound centre of sporting excellence, that it had to be considered in the context of the planning regime and the benefits of the scheme as a whole (not purely by weighing the value of the trees against the retention of the aircraft hangar which formed part of the existing sports hall).

Paul Seddon, Head of Development Management and Regeneration addressed the Committee, advising that the University had a very good history of environmental stewardship and did not take the felling of the 3 trees lightly, that the trees were not covered by Tree Preservation Orders or any other specialist protection, and that a planning permission refusal would in effect be on the basis that the loss of 1 Category A and 2 Category B trees outweighed the benefits to Nottingham citizens of building a multi-million pound sports complex. It was the current application which had to be considered and it was not within the Committee's powers for it to dictate the requirements of a scheme it would want to see put forward.

RESOLVED by 7 votes to 6:

- (1) not to accept the officer recommendation to approve the application;**

- (2) to defer consideration of the Committee's detailed reasons for refusal to its February 2015 meeting.

61 BARRASFORD HOUSE, 1 GOLDSMITH STREET

Martin Poole, Area Planning Manager, introduced a report of the Head of Development Management and Regeneration, on application 14/02072/PFUL3, submitted by CPMG Architects on behalf of 12 Property Rentals Ltd, for the change of use from disused nightclub and offices to create approximately 353 sq.m retail and 55 sq. m office uses on the ground floor and conversion of upper floors to self-contained student accommodation units, including a two-storey roof top extension.

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:

- (a) councillors welcomed the building being brought back into use, and that photovoltaic panels were to be installed, reducing carbon emissions;
- (b) in response to councillors' questions, Mr Poole confirmed that the roof will be flat and not capped because of the lightweight nature of the two-storey extension, that the extension will be set back slightly from the current façade and that visual clutter will be easier to manage while dealing with a single student accommodation service provider;
- (c) Mr Poole confirmed that a supermarket operator had expressed an interest in establishing a city-centre style outlet on the ground floor.

RESOLVED

- (1) **subject to the prior completion of a Section 106 Planning Obligation which shall include:**
 - (i) a financial contribution of £57,981.60 towards the upgrade or improvement of open space or public realm within the city centre;
 - (ii) a student management agreement;

Planning permission be granted subject to the indicative conditions substantially in the form of those listed in the draft decision notice at the end of this report;
- (2) **Power to determine the final details of both the terms of the Planning Obligation and conditions of planning permission be delegated to the Head of Development Management and Regeneration;**
- (3) **that councillors are satisfied that Regulation 122(2) Community Infrastructure Levy Regulations 2010 is complied with, in that the planning obligation sought is:**

- (a) necessary to make the development acceptable in planning terms,**
- (b) directly related to the development and**
- (c) fairly and reasonably related in scale and kind to the development.**